

SENATE BILL NO. 357—SENATOR HAMMOND

MARCH 22, 2023

Referred to Committee on Finance

SUMMARY—Revises provisions relating to the transportation of pupils. (BDR 34-190)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included in Executive Budget.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; establishing the Transportation Modernization Grants Program Account for the purpose of providing grants of money to school districts, charter schools and other entities to provide certain transportation options to pupils; authorizing a school district to use certain money appropriated to the school district to provide grants to parents or guardians of pupils to support the transportation of pupils; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Sections 2-6** of this bill establish the Transportation Modernization Grants
2 Program Account and provide for the administration and award of grants to: (1)
3 improve access to reliable and safe transportation for pupils who attend charter
4 schools or public schools outside the pupils’ zones of attendance; and (2) support
5 innovative and efficient transportation options in school districts. **Section 3** of this
6 bill establishes the Account, requires the Account to be administered by the
7 Department of Education and provides that money in the Account does not revert at
8 the end of a fiscal year. **Section 4** of this bill requires the Department to award
9 grants of money from the Account to a nonprofit organization that has experience
10 awarding to school districts and charter schools grants that promote expanding
11 educational options for pupils or innovative approaches to education. **Section 4**
12 requires a nonprofit organization receiving such a grant to develop an application
13 and procedures for awarding grants of money to school districts, charter schools
14 and other entities. Under **section 4**, a nonprofit organization is prohibited from
15 using more than 5 percent of such grants for administrative expenses and is
16 required to award: (1) grants to school districts, charter schools and other entities
17 based on demand and the most innovative solutions to providing reliable and safe
18 transportation to pupils; and (2) at least 25 percent of the amount of such grants to



19 school districts, charter schools and other entities in counties whose population is
20 less than 100,000 (currently counties other than Clark and Washoe Counties).
21 **Section 5** of this bill establishes reporting requirements for a nonprofit organization
22 making such grants to school districts, charter schools and other entities. **Section 6**
23 authorizes the Department to adopt regulations to carry out the provisions of
24 **sections 2-6. Section 8** of this bill makes an appropriation to the Account.
25 Existing law requires a legislative appropriation to be made for each fiscal year
26 of the biennium to each school district to provide transportation for pupils and any
27 other similar service that the Legislature deems appropriate. (NRS 387.1214)
28 **Section 7** of this bill authorizes a school district to use such an appropriation to
29 provide grants to parents or guardians of pupils enrolled in the school district for
30 the purpose of supporting individual parents or guardians or neighborhood carpools
31 in the transportation of pupils to and from school. **Section 7** requires the State
32 Board of Education to adopt regulations related to the application for such grants,
33 the procedures for the distribution and accounting of such grants and the method of
34 reporting certain information to the Department.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 387 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 7, inclusive, of this
3 act.
4 **Sec. 2.** *As used in sections 2 to 7, inclusive, of this act, unless*
5 *the context otherwise requires, “account” means the*
6 *Transportation Modernization Grants Program Account created*
7 *by section 3 of this act.*
8 **Sec. 3. 1.** *The Transportation Modernization Grants*
9 *Program Account is hereby created in the State General Fund.*
10 *The account must be administered by the Department.*
11 **2.** *The interest and income earned on the money in the*
12 *Account, after deducting any applicable charges, must be credited*
13 *to the Account.*
14 **3.** *Any money remaining in the Account at the end of a fiscal*
15 *year does not revert to the State General Fund, and the balance in*
16 *the Account must be carried forward to the next fiscal year.*
17 **4.** *The Department may accept gifts and grants of money*
18 *from any source for deposit in the Account.*
19 **5.** *The money in the Account may only be used to award*
20 *grants of money to a nonprofit organization pursuant to section 4*
21 *of this act.*
22 **Sec. 4. 1.** *The Department shall award grants of money*
23 *from the Account to a nonprofit organization that:*
24 *(a) Is exempt from taxation pursuant to section 501(c)(3) of*
25 *the Internal Revenue Code, 26 U.S.C. § 501(c)(3);*



1 (b) *Has experience awarding to school districts and charter*
2 *schools grants that promote expanding educational options for*
3 *pupils or innovative approaches to education; and*

4 (c) *Demonstrates, to the satisfaction of the Department, the*
5 *ability and history to be able to provide ongoing evaluation and*
6 *compliance to entities that are awarded grants pursuant to this*
7 *section.*

8 2. *A nonprofit organization receiving a grant of money from*
9 *the Account shall:*

10 (a) *Develop a grant application and procedures for the award*
11 *of grants of money to school districts, charter schools and other*
12 *entities for any of the following purposes:*

13 (1) *Improving access to reliable and safe transportation for*
14 *pupils who attend charter schools or public schools outside the*
15 *zone of attendance that the pupils are otherwise required to attend.*

16 (2) *Supporting innovations and efficiencies in the*
17 *transportation of pupils to and from school.*

18 (b) *Except as otherwise provided in subsection 3:*

19 (1) *Use the grant of money to award grants to applicants*
20 *determined by the nonprofit organization to be eligible for such a*
21 *grant pursuant to paragraph (a);*

22 (2) *Award such grants based on demand and the most*
23 *innovative approaches to providing reliable and safe*
24 *transportation of pupils to and from school; and*

25 (3) *Allocate at least 25 percent of all grants awarded each*
26 *year to school districts, charter schools or other entities in*
27 *counties whose population is less than 100,000, unless the number*
28 *of applications from such school districts, charter schools and*
29 *other entities is insufficient to meet such a requirement.*

30 3. *A nonprofit organization shall not expend more than 5*
31 *percent of the total amount of grants of money received pursuant*
32 *to this section to pay its administrative expenses.*

33 **Sec. 5. 1.** *On or before December 31, 2023, and on or*
34 *before June 30 of each year thereafter, a nonprofit organization*
35 *receiving a grant of money pursuant to section 4 shall submit a*
36 *report to the Department and to the Director of the Legislative*
37 *Counsel Bureau for transmittal to the Joint Interim Standing*
38 *Committee on Education. The report must contain:*

39 (a) *If applicable, the best practices used by recipients of grants*
40 *from the nonprofit organization pursuant to section 4 of this act to*
41 *transport pupils to and from public schools outside the zone of*
42 *attendance that the pupils are otherwise required to attend;*

43 (b) *A list of the names of each recipient of a grant awarded*
44 *from the nonprofit organization pursuant to section 4 of this act*
45 *and the amount and purpose of each such grant; and*



1 (c) *The number of pupils impacted per grant recipient.*

2 2. *The Department and each recipient of a grant awarded*
3 *from a nonprofit organization pursuant to section 4 of this act*
4 *shall provide any information, including, without limitation,*
5 *financial and enrollment data, that the nonprofit organization*
6 *deems necessary to complete the report.*

7 **Sec. 6.** *The Department may adopt regulations to carry out*
8 *the provisions of sections 2 to 6, inclusive, of this act.*

9 **Sec. 7.** 1. *A school district in this State may use available*
10 *funds appropriated pursuant to paragraph (a) of subsection 2 of*
11 *NRS 387.1214 to award grants to the parents or guardians of*
12 *pupils enrolled in the district for the purpose of supporting*
13 *individual parents or guardians or neighborhood carpools in the*
14 *transportation of pupils to and from school.*

15 2. *The Superintendent of Public Instruction shall adopt*
16 *regulations to carry out the provisions of this section, including,*
17 *without limitation:*

18 (a) *The process for a parent or guardian of a pupil to submit*
19 *an application to the school district to receive a grant pursuant to*
20 *subsection 1;*

21 (b) *Criteria and procedures for the distribution of grant*
22 *money;*

23 (c) *Procedures for the accounting of grant money and*
24 *providing proof of attendance for pupils whose transportation is*
25 *supported through grants awarded pursuant to this section; and*

26 (d) *A method for each school district to report to the*
27 *Department the:*

28 (1) *Number of recipients of grant money; and*

29 (2) *Amount of grant money distributed, disaggregated by*
30 *school within the district.*

31 **Sec. 8.** *There is hereby appropriated from the State General*
32 *Fund to the Transportation Modernization Grants Program Account*
33 *created by section 3 of this act the sum of \$5,000,000 for awarding*
34 *grants in accordance with sections 2 to 6, inclusive, of this act.*

35 **Sec. 9.** *This act becomes effective on July 1, 2023.*

