**A** **BILL**

TO AMEND SECTION 59-67-520 OF THE 1976 CODE, RELATING TO THE TRANSPORTATION OF HANDICAPPED SCHOOL PUPILS, TO PROVIDE THAT, BEGINNING WITH THE 2019-2020 SCHOOL YEAR, ALL BUSES PROVIDED FOR HANDICAPPED SCHOOL PUPILS MUST BE EQUIPPED WITH CLIMATE CONTROL SYSTEMS IN GOOD WORKING ORDER, AND TO PROVIDE THAT, IN THE EVENT OF A MECHANICAL FAILURE, A FULLY FUNCTIONING ALTERNATIVE MODE OF TRANSPORTATION SHALL BE IMMEDIATELY PROVIDED TO TRANSPORT THE BUS’S PASSENGERS TO THE APPROPRIATE DESTINATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-67-520 of the 1976 Code is amended to read:

“Section 59-67-520. (A) Notwithstanding the provisions of Sections 59-33-50, 59-67-420 and 59-67-510, the State Department of Education shall have the responsibility for transporting handicapped persons of lawful school age to and from the nearest school in which a handicapped pupil has been duly assigned. Additionally, when a school district is providing classes for handicapped persons between the ages of five and twenty-one years at the same location where classes and programs are provided for handicapped persons under age five and over age twenty-one, and when a cost reduction will result, the Department may enter into a reciprocal agreement with the facility whereby certain handicapped persons between the ages of five and twenty-one years may be transported on buses not owned by the Department and certain handicapped persons under age five and over age twenty-one may be transported on Department owned buses.

(B)(1) Buses used to transport handicapped pupils to and from school or handicapped persons to and from classes and programs as provided in subsection (A) shall be equipped with a fully functioning climate control system that provides heating and air conditioning to the passengers.

(2) In the event of a mechanical failure affecting the bus generally, the climate control system specifically, or both, a fully functioning alternative mode of transportation shall immediately be made available to transport the bus’s passengers to the appropriate destination.”

SECTION 2. This act takes effect upon approval by the Governor and shall apply to the 2019-2020 school year and thereafter.

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