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ENGROSSED SUBSTITUTE HOUSE BILL 1813

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State of Washington

66th Legislature

2019 Regular Session

By House Appropriations (originally sponsored by Representatives Sullivan, Santos, Ortiz-Self, and Ormsby)

READ FIRST TIME 02/28/19.

1 AN ACT Relating to incorporating the costs of employee health  
2 benefits into school district contracts for pupil transportation; and  
3 amending RCW 28A.160.140.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.160.140 and 1990 c 33 s 140 are each amended to  
6 read as follows:

7 (1)(a) As a condition of entering into a pupil transportation  
8 services contract with a private nongovernmental entity, each school  
9 district shall engage in an open competitive process at least once  
10 every five years. This requirement shall not be construed to prohibit  
11 a district from entering into a pupil transportation services  
12 contract of less than five years in duration with a district option  
13 to renew, extend, or terminate the contract, if the district engages  
14 in an open competitive process at least once every five years after  
15 July 26, 1987.

16 (b) Beginning on the effective date of this act, and until  
17 December 31, 2019, any pupil transportation services contract must  
18 include:

19 (i) Sufficient funds specifically for the contracting employer to  
20 provide the employees of the contractor with an employee health  
21 benefits contribution equal to the allocation rate for school

1 employees for the months between the effective date of this act and  
2 January 1, 2020, less the retiree remittance for the public  
3 employees' benefits board; and

4 (ii) An amount equivalent to the total employer and employee  
5 contribution rate to the school employees' retirement system,  
6 multiplied by estimated salaries of the employees of the contractor.

7 (c) Beginning January 1, 2020, any pupil transportation services  
8 contract must include:

9 (i) Sufficient funds specifically for the contracting employer to  
10 provide the employees of the contractor with an employer health  
11 benefits contribution equal to the monthly school employer funding  
12 rate for the school employees' benefits board program, less the  
13 retiree remittance for the public employees' benefits board; and

14 (ii) An amount equivalent to the plans 2 and 3 normal cost  
15 employer contribution rate of the school employees' retirement  
16 system, multiplied by the estimated salaries of the employees of the  
17 contractor.

18 (2) As used in this section:

19 ((1)) (a) "Employees of the contractor" means employees working  
20 sufficient compensated hours for the contracting employer performing  
21 services on the contract with the school district to meet the  
22 eligibility requirements for the school employees' benefits board  
23 program if the employee was directly employed by a school district;

24 (b) "Open competitive process" means either one of the following,  
25 at the choice of the school district:

26 ((a)) (i) The solicitation of bids or quotations and the award  
27 of contracts under RCW 28A.335.190; or

28 ((b)) (ii) The competitive solicitation of proposals and their  
29 evaluation consistent with the process and criteria recommended or  
30 required, as the case may be, by the office of financial management  
31 for state agency acquisition of personal service contractors;

32 ((2)) (c) "Pupil transportation services contract" means a  
33 contract for the operation of privately owned or school district  
34 owned school buses, and the services of drivers or operators,  
35 management and supervisory personnel, and their support personnel  
36 such as secretaries, dispatchers, and mechanics, or any combination  
37 thereof, to provide students with transportation to and from school  
38 on a regular basis; and

1           (~~(3)~~) (d) "School bus" means a motor vehicle as defined in RCW  
2 46.04.521 and under the rules of the superintendent of public  
3 instruction.

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