



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1275

Introduced 1/28/2025, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

105 ILCS 5/29-3

from Ch. 122, par. 29-3

Amends the Transportation Article of the School Code. Requires the school boards of certain school districts to provide free transportation for pupils residing at a distance of 1/2 mile or more from the school to which they are assigned for attendance if the school is located completely or partially within or directly adjacent to an R3 zone, as designated by the Illinois Criminal Justice Information Authority, and is outside of a county with a population of 3,000,000 or more residents, except for those pupils for whom adequate transportation for the public is available.

LRB104 06165 LNS 16199 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 29-3 as follows:

6 (105 ILCS 5/29-3) (from Ch. 122, par. 29-3)

7 Sec. 29-3. Transportation in school districts. School
8 boards of community consolidated districts, community unit
9 districts, consolidated districts, consolidated high school
10 districts, optional elementary unit districts, combined high
11 school - unit districts, combined school districts if the
12 combined district includes any district which was previously
13 required to provide transportation, and any newly created
14 elementary or high school districts resulting from a high
15 school - unit conversion, a unit to dual conversion, or a
16 multi-unit conversion if the newly created district includes
17 any area that was previously required to provide
18 transportation shall provide free transportation for pupils
19 residing at a distance of one and one-half miles or more from
20 any school to which they are assigned for attendance
21 maintained within the district and for pupils residing at a
22 distance of 1/2 mile or more from the school to which they are
23 assigned for attendance if the school is located completely or

1 partially within or directly adjacent to an R3 zone, as
2 designated by the Illinois Criminal Justice Information
3 Authority, and is outside of a county with a population of
4 3,000,000 or more residents, except for those pupils for whom
5 the school board shall certify to the State Board of Education
6 that adequate transportation for the public is available.

7 For the purpose of this Act, 1 1/2 miles distance or 1/2
8 mile distance shall be from the exit of the property where the
9 pupil resides to the point where pupils are normally unloaded
10 at the school attended; such distance shall be measured by
11 determining the shortest distance on normally traveled roads
12 or streets.

13 Such school board may comply with the provisions of this
14 Section by providing free transportation for pupils to and
15 from an assigned school and a pick-up point located not more
16 than one and one-half miles from the home of each pupil
17 assigned to such point or located not more than 1/2 mile from
18 the home of each pupil assigned to such point if the school is
19 located completely or partially within or directly adjacent to
20 a designated R3 zone and is outside of a county with a
21 population of 3,000,000 or more residents.

22 For the purposes of this Act, "adequate transportation for
23 the public" shall be assumed to exist for such pupils as can
24 reach school by walking, one way, along normally traveled
25 roads or streets less than 1 1/2 miles or less than 1/2 mile if
26 the school is located completely or partially within or

1 directly adjacent to a designated R3 zone and is outside of a
2 county with a population of 3,000,000 or more residents,
3 irrespective of the distance the pupil is transported by
4 public transportation.

5 In addition to the other requirements of this Section,
6 each school board may provide free transportation for any
7 pupil residing within 1 1/2 miles from the school attended
8 where conditions are such that walking, either to or from the
9 school to which a pupil is assigned for attendance or to or
10 from a pick-up point or bus stop, constitutes a serious hazard
11 to the safety of the pupil due to either (i) vehicular traffic
12 or rail crossings or (ii) a course or pattern of criminal
13 activity, as defined in Section 10 of the Illinois Streetgang
14 Terrorism Omnibus Prevention Act. Such transportation shall
15 not be provided if adequate transportation for the public is
16 available.

17 The determination as to what constitutes a serious safety
18 hazard shall be made by the school board, in accordance with
19 guidelines promulgated by the Illinois Department of
20 Transportation regarding vehicular traffic or rail crossings
21 or in accordance with guidelines regarding a course or pattern
22 of criminal activity, as determined by the local law
23 enforcement agency, in consultation with the State
24 Superintendent of Education. A school board, on written
25 petition of the parent or guardian of a pupil for whom adequate
26 transportation for the public is alleged not to exist because

1 the pupil is required to walk along normally traveled roads or
2 streets where walking is alleged to constitute a serious
3 safety hazard due to either (i) vehicular traffic or rail
4 crossings or (ii) a course or pattern of criminal activity, or
5 who is required to walk between the pupil's home and assigned
6 school or between the pupil's home or assigned school and a
7 pick-up point or bus stop along roads or streets where walking
8 is alleged to constitute a serious safety hazard due to either
9 (i) vehicular traffic or rail crossings or (ii) a course or
10 pattern of criminal activity, shall conduct a study and make
11 findings, which the Department of Transportation, with respect
12 to vehicular traffic or rail crossings, or the State Board of
13 Education, in consultation with the local law enforcement
14 agency, with respect to a course or pattern of criminal
15 activity, shall review and approve or disapprove as provided
16 in this Section, to determine whether a serious safety hazard
17 exists as alleged in the petition. The Department of
18 Transportation shall review the findings of the school board
19 concerning vehicular traffic or rail crossings and shall
20 approve or disapprove the school board's determination that a
21 serious safety hazard exists within 30 days after the school
22 board submits its findings to the Department of
23 Transportation. The State Board of Education, in consultation
24 with the local law enforcement agency, shall review the
25 findings of the school board concerning a course or pattern of
26 criminal activity and shall approve or disapprove the school

1 board's determination that a serious safety hazard exists
2 within 30 days after the school board submits its findings to
3 the State Board. The school board shall annually review the
4 conditions and determine whether or not the hazardous
5 conditions remain unchanged. The State Superintendent of
6 Education may request that the Illinois Department of
7 Transportation or the local law enforcement agency verify that
8 the conditions have not changed. No action shall lie against
9 the school board, the State Superintendent of Education, the
10 Illinois Department of Transportation, the State Board of
11 Education, or a local law enforcement agency for decisions
12 made in accordance with this Section. The provisions of the
13 Administrative Review Law and all amendments and modifications
14 thereof and the rules adopted pursuant thereto shall apply to
15 and govern all proceedings instituted for the judicial review
16 of final administrative decisions of the Department of
17 Transportation, the State Board of Education, or a local law
18 enforcement agency under this Section. At all points, except
19 when otherwise mentioned in this Section, the local
20 enforcement agency is authorized to determine what constitutes
21 a course or pattern of criminal activity.

22 The changes made to this Section by this amendatory Act of
23 the 100th General Assembly do not apply to a school district
24 organized under Article 34 of this Code.

25 (Source: P.A. 100-1142, eff. 11-28-18.)