

FIRST REGULAR SESSION

SENATE BILL NO. 547

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATORS WIGGINS, KENNEY AND DePASCO.

Read 1st time February 22, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1212L.011

AN ACT

To repeal section 162.492, RSMo 2000, relating to the election of board members in certain school districts, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 162.492, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 162.492, to read as follows:

162.492. 1. In all urban districts containing the greater part of the population of a city which has more than three hundred thousand inhabitants the terms of the members of the board of directors in office in [1967] **2001** shall continue until the end of the respective terms to which each of them has been elected to office and in each case thereafter until the next school election be held and until their successors, then elected, are duly qualified as provided in this section.

2. **For any election for director which occurs after August 28, 2001**, in each urban district designated in subsection 1, [the election authority of the city in which the greater portion of the school district lies, and of the county if the district includes territory not within the city limits, shall serve ex officio as a redistricting commission. The commission shall on or before November 1, 1969, divide the school district into six subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in the number of inhabitants as practicable and thereafter the board shall redistrict the district into subdivisions as soon as practicable after each United States decennial census. In establishing the subdistricts each member shall have one vote and a majority vote of the total membership of the commission is required to make effective any action of the commission.] **directors shall be elected at large from the district by the qualified voters of the district. Any appointments to fill a vacancy created by any member elected at**

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

any election occurring after August 28, 2001, shall be appointed at large from the district.

3. School elections for the election of directors shall be held on municipal election days in each even-numbered year. [At the election in 1970, one member of the board of directors shall be elected by the voters of each subdistrict. The seven candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict shall be elected and the at-large candidate receiving a plurality of the at-large votes shall be elected. In addition to other qualifications prescribed by law, each member elected from a subdistrict must be a resident of the subdistrict from which he is elected. The subdistricts shall be numbered from one to six and the directors elected from subdistricts one, three and five shall hold office for terms of two years and until their successors are elected and qualified, and the directors elected from subdistricts two, four and six shall hold office for terms of four years and until their successors are elected and qualified.] Every two years [thereafter a member], **a number of members** of the board of directors **equal to the amount of seats available at such election** shall be elected for a term of four years and until his **or her** successor is elected and qualified [from each of the three subdistricts having a member on the board of directors whose term expires in that year]. Those members of the board of directors who were in office in [1967] **2001** shall, when their terms of office expire, be succeeded by [the] members of the board of directors **who are** elected [from subdistricts] **at-large**. [In addition to the directors elected by the voters of each subdistrict, additional directors shall be elected at large by the voters of the entire school district as follows: In 1970 one director at large shall be elected for a two-year term. In 1972 one director at large shall be elected for a four-year term. In 1974 two at-large directors shall be elected for a four-year term and thereafter in alternative elections one director shall be elected for a four-year term and then two directors shall be elected for a four-year term, so that from and after the 1970 election the board of directors not including those members who were in office in 1967 shall consist of seven members until the 1974 election and thereafter] The board shall consist of nine members. In those years in which [one] **four** at-large [director is] **directors are** to be elected each voter may vote for [one candidate] **four candidates** and the [candidate] **four candidates** receiving a plurality of votes cast shall be elected. In those years in which [two] **five** at-large directors are to be elected each voter may vote for [two] **five** candidates and the [two] **five candidates** receiving the largest number of votes cast shall be elected.

4. [The six candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality of the at-large votes shall be elected.] The name of no candidate for nomination shall be printed on the ballot unless the candidate has at least sixty days prior to the election filed a declaration of candidacy with the secretary of the board of directors containing the signatures of at least [two hundred fifty registered voters who are residents of the subdistrict within which the candidate for nomination to

a subdistrict office resides, and in case of at-large candidates the signatures of at least] five hundred registered voters. The election authority shall determine the validity of all signatures on declarations of candidacy.

5. [In any election either for at-large candidates or candidates elected by the voters of subdistricts, if there are more than two candidates, a majority of the votes are not required to elect but the candidate having a plurality of the votes if there is only one office to be filled and the candidates having the highest number of votes, if more than one office is to be filled, shall be elected.

6.] The names of all candidates shall appear upon the ballot without party designation and in the order of the priority of the times of filing their petitions of nomination. [No candidate may file both at large and from a subdistrict and the names of all candidates shall appear only once on the ballot, nor may any candidate file more than one declaration of candidacy.] All declarations shall designate the candidate's residence [and whether the candidate is filing at large or from a subdistrict and the numerical designation of the subdistrict or at-large area], **and all directors or candidates for director shall be residents of the district.**

[7.] **6.** The provisions of all sections relating to seven-director school districts shall also apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to the extent applicable and not in conflict with the provisions of those sections specifically relating to such urban districts.

[8.] **7.** Vacancies which occur on the school board between the dates of election shall be filled by majority vote of the remaining members of the school board to serve until the time of the next regular school board election. [Subdistrict director vacancies shall be filled by appointment of a resident of the subdistrict in which the vacancy occurs.]

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