

FIRST REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 258
97TH GENERAL ASSEMBLY

Reported from the Committee on Education, March 14, 2013, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 258, adopted April 2, 2013.

Taken up for Perfection April 2, 2013. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

1317S.03P

AN ACT

To repeal sections 162.459, 162.471, and 162.492, RSMo, and to enact in lieu thereof three new sections relating to the board of directors of the Kansas City school district.

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

Section A. Sections 162.459, 162.471, and 162.492, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 162.459,
3 162.471, and 162.492, to read as follows:

162.459. 1. Notwithstanding other provisions of law to the contrary, the
2 school board of each school district designated in the statutes as a seven-director,
3 seven-director or urban school district[, except an urban district containing the
4 greater part of a city of more than three hundred thousand inhabitants,] shall
5 consist of seven members. At the first election for members of the school board
6 in each of such districts after January 1, 1993, and each three years thereafter,
7 three members of the school board shall be elected; except, no school district
8 composed of seven members as of January 1, 1993, shall be required to modify its
9 schedule of electing board members.

10 2. Provisions of law applicable to seven-director, seven-director and urban
11 school districts, except those which conflict with the provisions of this section,
12 shall apply to and govern the school districts designated in subsection 1 of this
13 section.

162.471. The government and control of an urban school district is vested

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

2 in a board of seven directors[, except that in urban districts containing the
3 greater part of a city of more than three hundred thousand inhabitants the board
4 shall be composed of nine directors]. Each director shall be a voter of the district,
5 who has resided within this state for one year next preceding his election or
6 appointment and who is at least twenty-four years of age. All directors, except
7 as otherwise provided in section 162.481 **and section 162.492**, hold their offices
8 for six years and until their successors are duly elected and qualified. All
9 vacancies occurring in the board, **except as provided in section 162.492**, shall
10 be filled by appointment by the board as soon as practicable, and the person
11 appointed shall hold his office until the next school board election, when his
12 successor shall be elected for the remainder of the unexpired term. The power of
13 the board to perform any official duty during the existence of a vacancy continues
14 unimpaired thereby.

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

8 2. In each urban district designated in subsection 1], the election
9 authority of the city in which the greater portion of the school district lies, and
10 of the county if the district includes territory not within the city limits, shall
11 serve ex officio as a redistricting commission. The commission shall on or before
12 November 1, [1969] **2018**, divide the school district into [six] **five** subdistricts,
13 all subdistricts being of compact and contiguous territory and as nearly equal in
14 the number of inhabitants as practicable and thereafter the board shall redistrict
15 the district into subdivisions as soon as practicable after each United States
16 decennial census. In establishing the subdistricts each member shall have one
17 vote and a majority vote of the total membership of the commission is required
18 to make effective any action of the commission.

19 [3.] **2.** School elections for the election of directors shall be held on
20 municipal election days in [each even-numbered year. At the election in 1970,
21 one member of the board of directors shall be elected by the voters of each
22 subdistrict. The seven candidates, one from each of the subdistricts, who receive
23 a plurality of the votes cast by the voters of that subdistrict shall be elected and

24 the at-large candidate receiving a plurality of the at-large votes shall be elected]
25 **2014 and 2016. At the election in 2014, directors shall be elected to hold**
26 **office until 2019 and until their successors are elected and qualified. At**
27 **the election in 2016, directors shall be elected until 2019 and until their**
28 **successors are elected and qualified. Beginning in 2019, school**
29 **elections for the election of directors shall be held on the local election**
30 **date as specified in the charter of a home rule city with more than four**
31 **hundred thousand inhabitants and located in more than one**
32 **county. Beginning at the election for school directors in 2019, the**
33 **number of directors on the board shall be reduced from nine to**
34 **seven. Two directors shall be at-large directors and five directors shall**
35 **represent the subdistricts, with one director from each of the**
36 **subdistricts. Directors shall serve a four-year term. Directors shall**
37 **serve until the next election and until their successors, then elected,**
38 **are duly qualified as provided in this section.** In addition to other
39 qualifications prescribed by law, each member elected from a subdistrict [must]
40 **shall** be a resident of the subdistrict from which he **or she** is elected. The
41 subdistricts shall be numbered from one to [six and the directors elected from
42 subdistricts one, three and five shall hold office for terms of two years and until
43 their successors are elected and qualified, and the directors elected from
44 subdistricts two, four and six shall hold office for terms of four years and until
45 their successors are elected and qualified. Every two years thereafter a member
46 of the board of directors shall be elected for a term of four years and until his
47 successor is elected and qualified from each of the three subdistricts having a
48 member on the board of directors whose term expires in that year. Those
49 members of the board of directors who were in office in 1967 shall, when their
50 terms of office expire, be succeeded by the members of the board of directors
51 elected from subdistricts. In addition to the directors elected by the voters of
52 each subdistrict, additional directors shall be elected at large by the voters of the
53 entire school district as follows: in 1970 one director at large shall be elected for
54 a two-year term. In 1972 one director at large shall be elected for a four-year
55 term. In 1974 two at-large directors shall be elected for a four-year term and
56 thereafter in alternative elections one director shall be elected for a four-year
57 term and then two directors shall be elected for a four-year term, so that from
58 and after the 1970 election the board of directors not including those members
59 who were in office in 1967 shall consist of seven members until the 1974 election

60 and thereafter the board shall consist of nine members. In those years in which
61 one at-large director is to be elected each voter may vote for one candidate and
62 the candidate receiving a plurality of votes cast shall be elected. In those years
63 in which two at-large directors are to be elected] **five**. Each voter may vote for
64 two candidates **for at-large director** and the two receiving the largest number
65 of votes cast shall be elected.

66 [4.] **3.** The [six] **five** candidates, one from each of the subdistricts, who
67 receive a plurality of the votes cast by the voters of that subdistrict and the
68 at-large candidates receiving a plurality of the at-large votes shall be
69 elected. The name of no candidate for nomination shall be printed on the ballot
70 unless the candidate has at least sixty days prior to the election filed a
71 declaration of candidacy with the secretary of the board of directors containing
72 the signatures of at least two hundred fifty registered voters who are residents
73 of the subdistrict within which the candidate for nomination to a subdistrict office
74 resides, and in case of at-large candidates the signatures of at least five hundred
75 registered voters. The election authority shall determine the validity of all
76 signatures on declarations of candidacy.

77 [5.] **4.** In any election either for at-large candidates or candidates elected
78 by the voters of subdistricts, if there are more than two candidates, a majority of
79 the votes are not required to elect but the candidate having a plurality of the
80 votes if there is only one office to be filled and the candidates having the highest
81 number of votes, if more than one office is to be filled, shall be elected.

82 [6.] **5.** The names of all candidates shall appear upon the ballot without
83 party designation and in the order of the priority of the times of filing their
84 petitions of nomination. No candidate may file both at large and from a
85 subdistrict and the names of all candidates shall appear only once on the ballot,
86 nor may any candidate file more than one declaration of candidacy. All
87 declarations shall designate the candidate's residence and whether the candidate
88 is filing at large or from a subdistrict and the numerical designation of the
89 subdistrict or at-large area.

90 [7.] **6.** The provisions of all sections relating to seven-director school
91 districts shall also apply to and govern urban districts in cities of more than three
92 hundred thousand inhabitants, to the extent applicable and not in conflict with
93 the provisions of those sections specifically relating to such urban districts.

94 [8.] **7.** Vacancies which occur on the school board between the dates of
95 election shall be filled by special election if such vacancy happens more than six

96 months prior to the time of holding [a general municipal] an election[,] as
97 provided in **subsection 2 of this** section [115.121]. The state board of education
98 shall order a special election to fill such a vacancy. A letter from the
99 commissioner of education, delivered by certified mail to the election authority
100 or authorities that would normally conduct an election for school board members
101 shall be the authority for the election authority or authorities to proceed with
102 election procedures. If a vacancy occurs less than six months prior to the time
103 of holding [a general municipal] an election **as provided in subsection 2 of**
104 **this section**, no special election shall occur and the vacancy shall be filled at the
105 next [general municipal] election **day on which local elections are held as**
106 **specified in the charter of any home rule city with more than four**
107 **hundred thousand inhabitants and located in more than one county.**

✓

Bill

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