

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE NO. 2  
FOR  
HOUSE BILL NO. 63

AN ACT

To repeal sections 162.481 and 162.491, RSMo, and to enact in lieu thereof four new sections relating to persons seeking public office, with an emergency clause.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1           Section A. Sections 162.481 and 162.491, RSMo, are repealed  
2 and four new sections enacted in lieu thereof, to be known as  
3 sections 115.308, 162.025, 162.481, and 162.491, to read as  
4 follows:

5           115.308. Sections 115.307 to 115.405 shall not apply to  
6 candidates for special district offices; township offices in  
7 township organization counties; or city, town, and village  
8 offices.

9           162.025. No person shall be a candidate for a member or  
10 director of the school board in any district in this state if  
11 such person has previously been employed by the district as the  
12 district's superintendent.

13           162.481. 1. Except as otherwise provided in this section

1 and in section 162.492, all elections of school directors in  
2 urban school districts shall be held biennially at the same times  
3 and places as municipal elections.

4 2. [In any urban district which includes all or the major  
5 part of a city which first obtained a population of more than  
6 seventy-five thousand inhabitants by reason of the 1960 federal  
7 decennial census, elections of directors shall be held on  
8 municipal election days of even-numbered years. The directors of  
9 the prior district shall continue as directors of the urban  
10 district until their successors are elected as herein provided.  
11 On the first Tuesday in April, 1964, four directors shall be  
12 elected, two for terms of two years to succeed the two directors  
13 of the prior district who were elected in 1960 and two for terms  
14 of six years to succeed the two directors of the prior district  
15 who were elected in 1961. The successors of these directors  
16 shall be elected for terms of six years. On the first Tuesday in  
17 April, 1968, two directors shall be elected for terms to commence  
18 on November 5, 1968, and to terminate on the first Tuesday in  
19 April, 1974, when their successors shall be elected for terms of  
20 six years. No director shall serve more than two consecutive  
21 six-year terms after October 13, 1963.

22 3.] Except as otherwise provided in subsections 3, 4, and 5  
23 of this section, hereafter when a seven-director district becomes  
24 an urban school district, the directors of the prior  
25 seven-director district shall continue as directors of the urban  
26 school district until the expiration of the terms for which they  
27 were elected and until their successors are elected as provided  
28 in this subsection. The first biennial school election for

1 directors shall be held in the urban school district at the time  
2 provided in subsection 1 which is on the date of or subsequent to  
3 the expiration of the terms of the directors of the prior  
4 district which are first to expire, and directors shall be  
5 elected to succeed the directors of the prior district whose  
6 terms have expired. If the terms of two directors only have  
7 expired, the directors elected at the first biennial school  
8 election in the urban school district shall be elected for terms  
9 of six years. If the terms of four directors have expired, two  
10 directors shall be elected for terms of six years and two shall  
11 be elected for terms of four years. At the next succeeding  
12 biennial election held in the urban district, successors for the  
13 remaining directors of the prior seven-director district shall be  
14 elected. If only two directors are to be elected they shall be  
15 elected for terms of six years each. If four directors are to be  
16 elected, two shall be elected for terms of six years and two  
17 shall be elected for terms of two years. After seven directors  
18 of the urban district have been elected under this subsection,  
19 their successors shall be elected for terms of six years.

20 [4.] 3. In any school district in [any city with a  
21 population of one hundred thousand or more inhabitants which is  
22 located within a county of the first classification that adjoins  
23 no other county of the first classification, or any school  
24 district which becomes an urban school district by reason of the  
25 2000 federal decennial census] which a majority of the district  
26 is located in any home rule city with more than one hundred  
27 fifty-five thousand but fewer than two hundred thousand  
28 inhabitants, elections shall be held annually at the same times

1 and places as general municipal elections for all years where one  
2 or more terms expire, and the terms shall be for three years and  
3 until their successors are duly elected and qualified for all  
4 directors elected on and after August 28, 1998.

5 4. For any school district which becomes an urban school  
6 district by reason of the 2000 federal decennial census,  
7 elections shall be held annually at the same times and places as  
8 general municipal elections for all years where one or more terms  
9 expire, and the terms shall be for three years and until their  
10 successors are duly elected and qualified for all directors  
11 elected on and after August 28, 2001.

12 5. In any school district in any county with a charter form  
13 of government and with more than three hundred thousand but fewer  
14 than four hundred fifty thousand inhabitants which becomes an  
15 urban school district by reason of the 2010 federal decennial  
16 census, elections shall be held annually at the same times and  
17 places as general municipal elections for all years where one or  
18 more terms expire, and the terms shall be for three years and  
19 until their successors are duly elected and qualified for all  
20 directors elected on and after April 2, 2012.

21 6. In any urban school district in a county of the first  
22 classification with more than eighty-three thousand but fewer  
23 than ninety-two thousand inhabitants and with a home rule city  
24 with more than seventy-six thousand but fewer than ninety-one  
25 thousand inhabitants as the county seat, elections shall be held  
26 annually at the same times and places as general municipal  
27 elections for all years where one or more terms expire, and upon  
28 expiration of any term after August 28, 2015, the term of office

1 shall be for three years and until their successors are duly  
2 elected and qualified.

3 162.491. 1. Directors for urban school districts, other  
4 than those districts containing the greater part of a city of  
5 over one hundred thirty thousand inhabitants, may be nominated by  
6 petition to be filed with the secretary of the board and signed  
7 by a number of voters in the district equal to ten percent of the  
8 total number of votes cast for the director receiving the highest  
9 number of votes cast at the next preceding biennial election,  
10 except as provided in subsection 4 of this section.

11 2. This section shall not be construed as providing the  
12 sole method of nominating candidates for the office of school  
13 director in urban districts which do not contain the greater part  
14 of a city of over three hundred thousand inhabitants.

15 3. A director for any urban school district containing a  
16 city of greater than one hundred thirty thousand inhabitants and  
17 less than three hundred thousand inhabitants may be nominated as  
18 an independent candidate by filing with the secretary of the  
19 board a petition signed by five hundred registered voters of such  
20 school district.

21 4. In any urban school district located in a home rule city  
22 with more than seventy-one thousand but fewer than seventy-nine  
23 thousand inhabitants, a candidate for director shall file a  
24 declaration of candidacy with the secretary of the board and  
25 shall not be required to submit a petition.

26 Section B. Because of the need to ensure uniform and final  
27 election practices in township organization counties, and cities,  
28 towns, and villages, section A of this act is deemed necessary

1 for the immediate preservation of the public health, welfare,  
2 peace, and safety, and is hereby declared to be an emergency act  
3 within the meaning of the constitution, and section A of this act  
4 shall be in full force upon its passage and approval.