

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 300 & 306
99TH GENERAL ASSEMBLY

Reported from the Committee on Insurance and Banking, March 9, 2017, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

ADRIANE D. CROUSE, Secretary.

1374S.05C

AN ACT

To repeal sections 162.401 and 162.492, RSMo, and to enact in lieu thereof two new sections relating to governing bodies of school districts.

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

Section A. Sections 162.401 and 162.492, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 162.401 and 162.492, to
3 read as follows:

162.401. The treasurer, before entering upon the discharge of his duties,
2 shall enter into a bond to the state of Missouri, with **[two] one** or more sureties,
3 to be approved by the board, conditioned that he will render a faithful and just
4 account of all money that comes into his hands as treasurer, and otherwise
5 perform the duties of his office according to law. The bond shall be filed with the
6 secretary of the board. The treasurer shall be the custodian of all school moneys
7 derived from taxation for school purposes in the district until paid out on the
8 order of the board, and on breach of the conditions of the bond, the secretary of
9 the board, or any resident of the school district, may cause suit to be brought
10 thereon. The suit shall be prosecuted in the name of the state of Missouri, at the
11 relation and to the use of the proper school district.

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 election authority of the city in which the greater portion of the school district
4 lies, and of the county if the district includes territory not within the city limits,
5 shall serve ex officio as a redistricting commission. The commission shall on or
6 before November 1, 2018, divide the school district into five subdistricts, all
7 subdistricts being of compact and contiguous territory and as nearly equal in the

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

8 number of inhabitants as practicable and thereafter the board shall redistrict the
9 district into subdivisions as soon as practicable after each United States
10 decennial census. In establishing the subdistricts each member shall have one
11 vote and a majority vote of the total membership of the commission is required
12 to make effective any action of the commission.

13 2. School elections for the election of directors shall be held on municipal
14 election days in 2014 and 2016. At the election in 2014, directors shall be elected
15 to hold office until 2019 and until their successors are elected and qualified. At
16 the election in 2016, directors shall be elected until 2019 and until their
17 successors are elected and qualified. Beginning in 2019, school elections for the
18 election of directors shall be held on the local election date as specified in the
19 charter of a home rule city with more than four hundred thousand inhabitants
20 and located in more than one county. Beginning at the election for school
21 directors in 2019, the number of directors on the board shall be reduced from nine
22 to seven. Two directors shall be at-large directors and five directors shall
23 represent the subdistricts, with one director from each of the
24 subdistricts. [Directors shall serve a four-year term] **At the 2019 election, one**
25 **of the at-large directors and the directors from subdistricts one, three,**
26 **and five shall be elected for a two-year term, and the other at-large**
27 **director and the directors from subdistricts two and four shall be**
28 **elected for a four-year term. Thereafter, all seven directors shall serve**
29 **a four-year term.** Directors shall serve until the next election and until their
30 successors, then elected, are duly qualified as provided in this section. In
31 addition to other qualifications prescribed by law, each member elected from a
32 subdistrict shall be a resident of the subdistrict from which he or she is
33 elected. The subdistricts shall be numbered from one to five. [Each voter may
34 vote for two candidates for at-large director and the two receiving the largest
35 number of votes cast shall be elected.]

36 3. The five candidates, one from each of the subdistricts, who receive a
37 plurality of the votes cast by the voters of that subdistrict and the at-large
38 candidates receiving a plurality of the at-large votes shall be elected. The name
39 of no candidate for nomination shall be printed on the ballot unless the candidate
40 has at least sixty days prior to the election filed a declaration of candidacy with
41 the secretary of the board of directors containing the signatures of at least two
42 hundred fifty registered voters who are residents of the subdistrict within which
43 the candidate for nomination to a subdistrict office resides, and in case of at-large

44 candidates the signatures of at least five hundred registered voters. The election
45 authority shall determine the validity of all signatures on declarations of
46 candidacy.

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

52 5. The names of all candidates shall appear upon the ballot without party
53 designation and in the order of the priority of the times of filing their petitions
54 of nomination. No candidate may file both at large and from a subdistrict and
55 the names of all candidates shall appear only once on the ballot, nor may any
56 candidate file more than one declaration of candidacy. All declarations shall
57 designate the candidate's residence and whether the candidate is filing at large
58 or from a subdistrict and the numerical designation of the subdistrict or at-large
59 area.

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

64 7. Vacancies which occur on the school board between the dates of election
65 shall be filled by special election if such vacancy happens more than six months
66 prior to the time of holding an election as provided in subsection 2 of this
67 section. The state board of education shall order a special election to fill such a
68 vacancy. A letter from the commissioner of education, delivered by certified mail
69 to the election authority or authorities that would normally conduct an election
70 for school board members shall be the authority for the election authority or
71 authorities to proceed with election procedures. If a vacancy occurs less than six
72 months prior to the time of holding an election as provided in subsection 2 of this
73 section, no special election shall occur and the vacancy shall be filled at the next
74 election day on which local elections are held as specified in the charter of any
75 home rule city with more than four hundred thousand inhabitants and located in
76 more than one county.

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