

# SENATE BILL NO. 1068

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

4050S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 162.261, 162.481, and 162.601, RSMo, and to enact in lieu thereof four new sections relating to school board information.

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

Section A. Sections 162.261, 162.481, and 162.601, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 115.062, 162.261, 162.481, and 162.601, to read as follows:

**115.062. 1. Before June first immediately following a municipal election for members of the board of education of a seven-director school district, a metropolitan school district, or a municipal election for members of the board of directors of an urban school district, such school district shall submit to the election authority with jurisdiction over the area in which the majority of such school district is located a report containing the following information:**

(1) The name of such school district;

(2) The name of each school board member or director serving such district;

(3) The length and expiration date of the term of each school board member or director; and

(4) The direct hyperlink to a publicly accessible webpage on the school district's website that contains the requirements and process that an individual shall follow to

18 file as a candidate for election to the board of education  
19 or board of directors of such school district. If such a  
20 webpage does not exist, the school district shall provide  
21 such information in writing to the election authority with  
22 jurisdiction over the area in which the majority of such  
23 school district is located.

24 2. Before July first of each year, an election  
25 authority that receives the information required under  
26 subsection 1 of this section shall report to the secretary  
27 of state's office such information for each school district  
28 located primarily within such election authority's  
29 jurisdiction.

30 3. (1) Each school district shall report to the  
31 election authority with jurisdiction over the area in which  
32 the majority of such school district is located a  
33 resignation, removal, or death of a board of education  
34 member or board of directors member and a change or  
35 appointment made to fill a vacancy on such board of  
36 education or board of directors. Such report shall be  
37 submitted within seven days of such vacancy.

38 (2) The election authority shall report to the  
39 secretary of state's office information received under  
40 subdivision (1) of this subsection within thirty days of  
41 receiving such information.

42 4. The secretary of state's office shall post on its  
43 website a list containing all information received from  
44 election authorities under subsection 3 of this section.  
45 Such list shall be posted before August first of each year  
46 in a format that is easily viewable and shall be revised as  
47 changes occur.

162.261. 1. The government and control of a seven-  
2 director school district, other than an urban district, is

3 vested in a board of education of seven members, who hold  
4 their office for three years, except as provided in sections  
5 162.241 and 162.563, and until their successors are duly  
6 elected and qualified. Any vacancy occurring in the board  
7 shall be filled by the remaining members of the board;  
8 except that if there are more than two vacancies at any one  
9 time, the county commission upon receiving written notice of  
10 the vacancies shall fill the vacancies by appointment. If  
11 there are more than two vacancies at any one time in a  
12 county without a county commission, the county executive  
13 upon receiving written notice of the vacancies shall fill  
14 the vacancies, with the advice and consent of the county  
15 council, by appointment. The person appointed shall hold  
16 office until the next municipal election, when a director  
17 shall be elected for the unexpired term.

18 2. No seven-director, urban, or metropolitan school  
19 district board of education shall hire a spouse of any  
20 member of such board for a vacant or newly created position  
21 unless the position has been advertised pursuant to board  
22 policy and the superintendent of schools submits a written  
23 recommendation for the employment of the spouse to the board  
24 of education. The names of all applicants as well as the  
25 name of the applicant hired for the position shall be  
26 included in the board minutes.

27 3. The provisions of Article VII, Section 6 of the  
28 Missouri Constitution apply to school districts.

29 **4. Each school district shall report information about**  
30 **such school district and the board of education members as**  
31 **required under section 115.062.**

162.481. 1. Except as otherwise provided in this  
2 section and sections 162.492 and 162.563, all elections of  
3 school directors in urban school districts shall be held

4 biennially at the same times and places as municipal  
5 elections.

6         2. Except as otherwise provided in subsections 3, 4,  
7 and 5 of this section, hereafter when a seven-director  
8 district becomes an urban school district, the directors of  
9 the prior seven-director district shall continue as  
10 directors of the urban school district until the expiration  
11 of the terms for which they were elected and until their  
12 successors are elected as provided in this subsection. The  
13 first biennial school election for directors shall be held  
14 in the urban school district at the time provided in  
15 subsection 1 which is on the date of or subsequent to the  
16 expiration of the terms of the directors of the prior  
17 district which are first to expire, and directors shall be  
18 elected to succeed the directors of the prior district whose  
19 terms have expired. If the terms of two directors only have  
20 expired, the directors elected at the first biennial school  
21 election in the urban school district shall be elected for  
22 terms of six years. If the terms of four directors have  
23 expired, two directors shall be elected for terms of six  
24 years and two shall be elected for terms of four years. At  
25 the next succeeding biennial election held in the urban  
26 school district, successors for the remaining directors of  
27 the prior seven-director district shall be elected. If only  
28 two directors are to be elected they shall be elected for  
29 terms of six years each. If four directors are to be  
30 elected, two shall be elected for terms of six years and two  
31 shall be elected for terms of two years. After seven  
32 directors of the urban school district have been elected  
33 under this subsection, their successors shall be elected for  
34 terms of six years.

35           3. In any school district in which a majority of the  
36 district is located in any home rule city with more than one  
37 hundred fifty-five thousand but fewer than two hundred  
38 thousand inhabitants, elections shall be held annually at  
39 the same times and places as general municipal elections for  
40 all years where one or more terms expire, and the terms  
41 shall be for three years and until their successors are duly  
42 elected and qualified for all directors elected on and after  
43 August 28, 1998.

44           4. For any school district which becomes an urban  
45 school district by reason of the 2000 federal decennial  
46 census, elections shall be held annually at the same times  
47 and places as general municipal elections for all years  
48 where one or more terms expire, and the terms shall be for  
49 three years and until their successors are duly elected and  
50 qualified for all directors elected on and after August 28,  
51 2001.

52           5. In any school district in any county with a charter  
53 form of government and with more than three hundred thousand  
54 but fewer than four hundred fifty thousand inhabitants which  
55 becomes an urban school district by reason of the 2010  
56 federal decennial census, elections shall be held annually  
57 at the same times and places as general municipal elections  
58 for all years where one or more terms expire, and the terms  
59 shall be for three years and until their successors are duly  
60 elected and qualified for all directors elected on and after  
61 April 2, 2012.

62           6. In any urban school district in a county of the  
63 first classification with more than eighty-three thousand  
64 but fewer than ninety-two thousand inhabitants and with a  
65 home rule city with more than seventy-six thousand but fewer  
66 than ninety-one thousand inhabitants as the county seat,

67 elections shall be held annually at the same times and  
68 places as general municipal elections for all years where  
69 one or more terms expire, and upon expiration of any term  
70 after August 28, 2015, the term of office shall be for three  
71 years and until their successors are duly elected and  
72 qualified.

73 **7. Each school district shall report information about**  
74 **such school district and the board of education directors as**  
75 **required under section 115.062.**

162.601. 1. Elected members of the board in office on  
2 August 28, 1998, shall hold office for the length of term  
3 for which they were elected, and any members appointed  
4 pursuant to section 162.611 to fill vacancies left by  
5 elected members in office on August 28, 1998, shall serve  
6 for the remainder of the term to which the replaced member  
7 was elected.

8 2. No board members shall be elected at the first  
9 municipal election in an odd-numbered year next following  
10 August 28, 1998.

11 3. Three board members shall be elected at the second  
12 municipal election in an odd-numbered year next following  
13 August 28, 1998, to serve four-year terms.

14 4. Four board members shall be elected at the third  
15 municipal election in an odd-numbered year next following  
16 August 28, 1998, and two of such members shall be elected to  
17 four-year terms and two of such members shall be elected to  
18 three-year terms. For the two members elected at the  
19 municipal election in 2006, the terms of such members shall  
20 expire after their successors are elected and qualified  
21 pursuant to subsection 6 of this section.

22 5. Beginning with the fourth municipal election in an  
23 odd-numbered year next following August 28, 1998, and at

24 each succeeding municipal election in a year during which  
25 board member terms expire, there shall be elected members of  
26 the board of education, who shall assume the duties of their  
27 office at the first regular meeting of the board of  
28 education after their election, and who shall hold office  
29 for four years, and until their successors are elected and  
30 qualified.

31         6. For the two board members who are elected at the  
32 municipal election in 2006, their successors thereafter  
33 shall be elected at the general election in the year in  
34 which their terms expire.

35         7. Members of the board of directors shall be elected  
36 to represent seven subdistricts. The subdistricts shall be  
37 established by the state board of education to be compact,  
38 contiguous and as nearly equal in population as  
39 practicable. The subdistricts shall be revised by the state  
40 board of education after each decennial census and at any  
41 other time the state board determines that the district's  
42 demographics have changed sufficiently to warrant  
43 redistricting.

44         8. A member shall reside in and be elected in the  
45 subdistrict which the member is elected to represent.  
46 Subdistrict 1 shall be comprised of wards 1, 2, 22 and 27.  
47 Subdistrict 2 shall be comprised of wards 3, 4, 5 and 21.  
48 Subdistrict 3 shall be comprised of wards 18, 19, 20 and  
49 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and  
50 28. Subdistrict 5 shall be comprised of wards 9, 10, 11 and  
51 12. Subdistrict 6 shall be comprised of wards 13, 14, 16  
52 and 25. Subdistrict 7 shall be comprised of wards 8, 15, 23  
53 and 24.

54           9. Each school district shall report information about  
55 such school district and the board of education members as  
56 required under section 115.062.

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