

SENATE BILL NO. 885

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROBERTS.

2914S.02I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 162.471, 162.492, and 162.611, RSMo, and to enact in lieu thereof three new sections relating to school board vacancies.

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

Section A. Sections 162.471, 162.492, and 162.611, RSMo,
2 are repealed and three new sections enacted in lieu thereof, to
3 be known as sections 162.471, 162.492, and 162.611, to read as
4 follows:

162.471. 1. The government and control of an urban
2 school district is vested in a board of seven directors.

3 2. Except as provided in section 162.563, each
4 director shall be a voter of the district who has resided
5 within this state for one year next preceding the director's
6 election or appointment and who is at least twenty-four
7 years of age. All directors, except as otherwise provided
8 in sections 162.481, 162.492, and 162.563, shall hold their
9 offices for six years and until their successors are duly
10 elected and qualified. All vacancies occurring in the
11 board[, except as provided in section 162.492,] shall be
12 filled by appointment by the board as soon as practicable,
13 and the person appointed shall hold office until the next
14 school board election, when a successor shall be elected for
15 the remainder of the unexpired term. The power of the board
16 to perform any official duty during the existence of a
17 vacancy continues unimpaired thereby.

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

162.492. 1. In all urban districts containing the
2 greater part of the population of a city which has more than
3 three hundred thousand inhabitants, the election authority
4 of the city in which the greater portion of the school
5 district lies, and of the county if the district includes
6 territory not within the city limits, shall serve ex officio
7 as a redistricting commission. The commission shall on or
8 before November 1, 2018, divide the school district into
9 five subdistricts, all subdistricts being of compact and
10 contiguous territory and as nearly equal in the number of
11 inhabitants as practicable and thereafter the board shall
12 redistrict the district into subdivisions as soon as
13 practicable after each United States decennial census. In
14 establishing the subdistricts each member shall have one
15 vote and a majority vote of the total membership of the
16 commission is required to make effective any action of the
17 commission.

18 2. School elections for the election of directors
19 shall be held on municipal election days in 2014 and 2016.
20 At the election in 2014, directors shall be elected to hold
21 office until 2019 and until their successors are elected and
22 qualified. At the election in 2016, directors shall be
23 elected until 2019 and until their successors are elected
24 and qualified. Beginning in 2019, school elections for the
25 election of directors shall be held on the local election
26 date as specified in the charter of a home rule city with
27 more than four hundred thousand inhabitants and located in
28 more than one county. Beginning at the election for school
29 directors in 2019, the number of directors on the board
30 shall be reduced from nine to seven. Two directors shall be
31 at-large directors and five directors shall represent the
32 subdistricts, with one director from each of the

33 subdistricts. At the 2019 election, one of the at-large
34 directors and the directors from subdistricts one, three,
35 and five shall be elected for a two-year term, and the other
36 at-large director and the directors from subdistricts two
37 and four shall be elected for a four-year term. Thereafter,
38 all seven directors shall serve a four-year term. Directors
39 shall serve until the next election and until their
40 successors, then elected, are duly qualified as provided in
41 this section. In addition to other qualifications
42 prescribed by law, each member elected from a subdistrict
43 shall be a resident of the subdistrict from which he or she
44 is elected. The subdistricts shall be numbered from one to
45 five.

46 3. The five candidates, one from each of the
47 subdistricts, who receive a plurality of the votes cast by
48 the voters of that subdistrict and the at-large candidates
49 receiving a plurality of the at-large votes shall be
50 elected. The name of no candidate for nomination shall be
51 printed on the ballot unless the candidate has at least
52 sixty days prior to the election filed a declaration of
53 candidacy with the secretary of the board of directors
54 containing the signatures of at least two hundred fifty
55 registered voters who are residents of the subdistrict
56 within which the candidate for nomination to a subdistrict
57 office resides, and in case of at-large candidates the
58 signatures of at least five hundred registered voters. The
59 election authority shall determine the validity of all
60 signatures on declarations of candidacy.

61 4. In any election either for at-large candidates or
62 candidates elected by the voters of subdistricts, if there
63 are more than two candidates, a majority of the votes are

64 not required to elect but the candidate having a plurality
65 of the votes shall be elected.

66 5. The names of all candidates shall appear upon the
67 ballot without party designation and in the order of the
68 priority of the times of filing their petitions of
69 nomination. No candidate may file both at large and from a
70 subdistrict and the names of all candidates shall appear
71 only once on the ballot, nor may any candidate file more
72 than one declaration of candidacy. All declarations shall
73 designate the candidate's residence and whether the
74 candidate is filing at large or from a subdistrict and the
75 numerical designation of the subdistrict or at-large area.

76 6. The provisions of all sections relating to seven-
77 director school districts shall also apply to and govern
78 urban districts in cities of more than three hundred
79 thousand inhabitants, to the extent applicable and not in
80 conflict with the provisions of those sections specifically
81 relating to such urban districts.

82 7. Vacancies which occur on the school board [between
83 the dates of election shall be filled by special election if
84 such vacancy happens more than six months prior to the time
85 of holding an election as provided in subsection 2 of this
86 section. The state board of education shall order a special
87 election to fill such a vacancy. A letter from the
88 commissioner of education, delivered by certified mail to
89 the election authority or authorities that would normally
90 conduct an election for school board members shall be the
91 authority for the election authority or authorities to
92 proceed with election procedures. If a vacancy occurs less
93 than six months prior to the time of holding an election as
94 provided in subsection 2 of this section, no special
95 election shall occur and the vacancy shall be filled at the

96 next election day on which local elections are held as
97 specified in the charter of any home rule city with more
98 than four hundred thousand inhabitants and located in more
99 than one county] **shall be filled in the manner provided in**
100 **section 162.471.**

162.611. Any member failing to attend the meetings of
2 the board for three consecutive regular meetings, unless
3 excused by the board for reasons satisfactory to the board,
4 shall be deemed to have vacated his seat; and the secretary
5 of the board shall certify that fact to the [mayor] **board.**
6 The secretary shall likewise certify to the [mayor] **board**
7 any other vacancy occurring in the board. Any vacancy shall
8 be filled by the [mayor] **board** by appointment for the
9 remainder of the term.

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