

SECOND REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE BILL NO. 1002

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNELTING.

4367S.08P

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 162.301, 162.341, 162.459, and 162.481, RSMo, and to enact in lieu thereof six new sections relating to elections submitted to the people by a school board.

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

Section A. Sections 162.301, 162.341, 162.459, and
2 162.481, RSMo, are repealed and six new sections enacted in
3 lieu thereof, to be known as sections 162.082, 162.301, 162.341,
4 162.459, 162.481, and 164.320, to read as follows:

162.082. 1. Elections for all directors of any school
2 district in which a majority of the district is located in a
3 county with more than four hundred thousand but fewer than
4 five hundred thousand inhabitants shall be held on the first
5 Tuesday after the first Monday in November of even-numbered
6 years, and the term of every school board member elected in
7 2028 and every year thereafter shall be four years,
8 notwithstanding any provision of law to the contrary.

9 2. Any school board member whose term expires prior to
10 the first Tuesday after the first Monday in November of 2028
11 or in any other odd-numbered year thereafter shall continue
12 to serve until his or her successor is duly elected and
13 qualified at the next general election.

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

14 3. In an even-numbered year, the number of school
15 board seats to be elected shall be equal to those with terms
16 that would have expired in the previous odd-numbered year
17 and those with terms expiring in such even-numbered year.
18 The candidates in each school board election receiving the
19 highest number of votes shall be elected for terms of four
20 years.

21 4. At the time of filing a declaration of candidacy, a
22 candidate for election as a school board member may
23 voluntarily designate such candidate's political party
24 affiliation and consent to have that affiliation appear
25 beside the candidate's name on the ballot.

26 5. This section shall only apply to elections for
27 directors in school districts in which a majority of the
28 district is located in a county with more than four hundred
29 thousand but fewer than five hundred thousand inhabitants.

162.301. 1. Within fourteen days after the election
2 of the first school board in each seven-director district,
3 other than an urban district, and within fourteen days after
4 each [annual] election, the board shall meet. The newly
5 elected members shall qualify by taking the oath of office
6 prescribed by Article VII, Section 11, of the Constitution
7 of Missouri.

8 2. **Except as provided in subsection 4 of this section,**
9 the board shall organize by the election of a president and
10 vice president, and the board shall, on or before the
11 fifteenth day of July of each year, elect a secretary and a
12 treasurer, who shall enter upon their respective duties on
13 the fifteenth day of July. The secretary and treasurer may
14 be or may not be members of the board. No compensation
15 shall be granted to either the secretary or the treasurer

16 until his report and settlement are made and filed or
17 published as the law directs.

18 3. A majority of the board constitutes a quorum for
19 the transaction of business, but no contract shall be let,
20 person employed, bill approved or warrant ordered unless a
21 majority of the whole board votes therefor.

22 4. In a seven-director district, other than an urban
23 district, in which a majority of the district is located in
24 a county with more than four hundred thousand but fewer than
25 five hundred thousand inhabitants, the board shall organize
26 by the election of a president and vice president, and the
27 board shall, on or before the fifteenth day of January in
28 odd-numbered years, elect a secretary and a treasurer, who
29 shall enter upon their respective duties on the fifteenth
30 day of January. The secretary and treasurer may be or may
31 not be members of the board. No compensation shall be
32 granted to either the secretary or the treasurer until his
33 report and settlement are made and filed or published as the
34 law directs.

162.341. The annual election in seven-director
2 districts, except urban districts **and those school districts**
3 **described in section 162.082**, shall be held on municipal
4 election days.

162.459. 1. Notwithstanding other provisions of law
2 to the contrary, the school board of each school district
3 designated in the statutes as a seven-director or urban
4 school district shall consist of seven members.

5 2. At the first election for members of the school
6 board in each of such districts after January 1, 1993, and
7 each three years thereafter, three members of the school
8 board shall be elected; [except,] **provided that, this**
9 **subsection shall not apply to any school district described**

10 **in section 162.082; and further provided, that** no school
11 district composed of seven members as of January 1, 1993,
12 shall be required to modify its schedule of electing board
13 members.

14 [2.] 3. Provisions of law applicable to seven-director
15 and urban school districts, except those which conflict with
16 the provisions of this section, shall apply to and govern
17 the school districts designated in subsection 1 of this
18 section.

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] **as provided in**
59 **section 162.082**, and the terms shall be for [three] **four**
60 years and until their successors are duly elected and
61 qualified for all directors elected on and after [April 2,
62 2012] **November 7, 2028**.

63 6. In any urban school district in a county of the
64 first classification with more than eighty-three thousand
65 but fewer than ninety-two thousand inhabitants and with a
66 home rule city with more than seventy-six thousand but fewer
67 than ninety-one thousand inhabitants as the county seat,
68 elections shall be held annually at the same times and
69 places as general municipal elections for all years where
70 one or more terms expire, and upon expiration of any term
71 after August 28, 2015, the term of office shall be for three
72 years and until their successors are duly elected and
73 qualified.

164.320. 1. Notwithstanding any provision of law to
2 **the contrary, all proposals submitted by a school board**
3 **described in subsection 2 of this section to the voters for**
4 **approval for the purpose of levying a new tax or renewing or**
5 **increasing the current levy of an existing tax, including**
6 **for the issuance of bonded indebtedness, shall be submitted**
7 **by the school board on a general election day held on the**
8 **first Tuesday after the first Monday in November of even-**
9 **numbered years.**

10 **2. This section shall apply only to a school district**
11 **in which a majority of the district is located in a county**
12 **with more than four hundred thousand but fewer than five**
13 **hundred thousand inhabitants.**

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