

SECOND REGULAR SESSION

# SENATE BILL NO. 868

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAXWELL.

Read 1st time February 4, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3653.02I

## AN ACT

To repeal sections 178.790 and 178.890, RSMo 1994, relating to community colleges, and to enact in lieu thereof two new sections relating to the same subject.

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

Section A. Sections 178.790 and 178.890, RSMo 1994, are repealed and two new sections enacted in lieu thereof, to be known as sections 178.790 and 178.890, to read as follows:

178.790. The boundaries of any [junior] **community** college district organized [under] **pursuant to** sections 178.770 to 178.890 shall coincide with the boundaries of the school district or of the contiguous school districts proposed to be included, and the [junior] **community** college district shall be in addition to any other school districts existing in any portion of the area.

178.890. 1. If the area of an entire school district which adjoins a [junior] **community** college district organized [under] **pursuant to** sections 178.770 to 178.890 desires to be attached thereto and become a part of the [junior] **community** college district it may do so in the manner provided for annexation [under] **pursuant to** section 162.441, RSMo. If the area of an entire school district which adjoins a district offering a two-year college course [under] **pursuant to** section 178.370 on October 13, 1961, and receiving aid [under] **pursuant to** section 163.191, RSMo, desires to be attached thereto for [junior] **community** college purposes only, the annexation shall be completed [under] **pursuant to** section 162.441, RSMo, and upon the annexation, a special [junior] **community** college district shall be established in the entire area as provided in sections 178.770 to 178.890, and notice thereof shall be given to the state board of education. The state board of education, within sixty days, shall call a special election for the election of trustees to be conducted in the manner provided in section 178.820.

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

**2. If the entire area of a school district not adjoining or contiguous with an established and existing community college district organized pursuant to sections 178.770 to 178.890, desires to become part of such an established and existing community college district which lies in whole or in part in a county which is either:**

**(1) Adjacent to the county in which the school district lies in whole or in part;**

**or**

**(2) Adjacent to a county which is adjacent to the county in which the school district lies in whole or in part, such school district may do so in the manner provided for annexation pursuant to section 162.441, RSMo, and in such instances, it shall not be required that such school district be adjacent to or adjoin such a community college district, and the subdistrict or subdistricts in the area comprising the petitioning school district need not be contiguous with the subdistricts of the receiving community college district.**

**3. If the board of trustees of the receiving district rejects the petition for annexation, the state board of education may be petitioned for a hearing and upon receipt of the petition the state board shall establish the time and place and proceed to a hearing. If the state board of education finds that refusal to honor the petition for annexation has been made without good cause, the state board in its discretion may withhold a portion or all of the state aid from the district which is payable [under] pursuant to the provisions of section 163.191, RSMo.**

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