

FIRST REGULAR SESSION

HOUSE BILL NO. 1131

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BURNETT.

2156H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 162.492, RSMo, and to enact in lieu thereof one new section relating to school board district elections.

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

Section A. Section 162.492, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.492, to read as follows:

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

2. School elections for the election of directors shall be held on municipal election days in 2014 ~~and~~ , 2016, and 2018. At the election in 2014, **subdistrict** directors shall be elected to hold office until 2019 and until their successors are elected and qualified, **and at-large directors shall be elected to hold office until 2018 and until their successors are elected and qualified**. At the election in 2016, **subdistrict** directors shall be elected until 2019 and until their successors are elected and qualified, **and the at-large director shall be elected until 2019, at which time such at-large seat shall be eliminated, reducing the number of at-large**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **directors from three to two. At the election in 2018, directors shall be elected until 2021**
19 **and until their successors are elected and qualified.** Beginning in 2019, school elections for
20 the election of directors shall be held on the local election date as specified in the charter of a
21 home rule city with more than four hundred thousand inhabitants and located in more than one
22 county. Beginning at the election for school directors in 2019, the number of **subdistrict**
23 **directors on the board shall be reduced from [nine] six to [seven. Two directors shall be at-large**
24 **directors and five directors shall represent the subdistricts,] five, in accordance with the**
25 **redistricting commission plan created by subsection 1 of this section,** with one director from
26 each of the subdistricts. [~~Directors shall serve a four-year term~~] **At the 2019 election, the**
27 **directors from subdistricts one and three shall be elected for two-year terms, and the**
28 **directors from subdistricts two, four, and five shall be elected for four-year terms.**
29 **Thereafter, all directors shall serve four-year terms.** Directors shall serve until the next
30 election and until their successors, then elected, are duly qualified as provided in this section.
31 In addition to other qualifications prescribed by law, each member elected from a subdistrict
32 shall be a resident of the subdistrict from which he or she is elected. The subdistricts shall be
33 numbered from one to five. Each voter may vote for two candidates for at-large director and the
34 two receiving the largest number of votes cast shall be elected.

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

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

49 5. The names of all candidates shall appear upon the ballot without party designation and
50 in the order of the priority of the times of filing their petitions of nomination. No candidate may
51 file both at large and from a subdistrict and the names of all candidates shall appear only once
52 on the ballot, nor may any candidate file more than one declaration of candidacy. All

53 declarations shall designate the candidate's residence and whether the candidate is filing at large
54 or from a subdistrict and the numerical designation of the subdistrict or at-large area.

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

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

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