

FIRST REGULAR SESSION

HOUSE BILL NO. 207

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRAY.

0040H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 162, RSMo, by adding thereto one new section relating to the creation of subdistricts in certain school districts.

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

Section A. Chapter 162, RSMo, is amended by adding thereto one new section, to be known as section 162.386, to read as follows:

162.386. 1. Notwithstanding any other provision of law to the contrary, in any school district that is located within or that adjoins a school district that is located within, in whole or in part, a street light maintenance district with fewer than three thousand inhabitants, and that is located within a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, the board of election commissioners of such county shall establish seven subdistricts for the purpose of electing directors of such school district.

2. (1) The initial subdistrict boundaries shall be drawn by the commissioners within sixty days after August 28, 2021, with subsequent boundaries to be drawn within six months after each decennial census is reported to the President of the United States. In the event that the board of election commissioners is unable to agree on the subdistrict boundaries by the deadlines established under this subsection, the governing body of the county shall, sitting as an apportionment commission, draw the boundaries within sixty days after the failure of the board of election commissioners to do so. Subdistrict boundaries drawn by the governing body of the county shall not be subject to veto by the chief executive of the county.

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.

17 **(2) The commissioners shall apportion the subdistricts by dividing the district's**
18 **population, determined by the preceding decennial census, by the number of directors and**
19 **shall establish each subdistrict so that the population of that subdistrict shall, as nearly as**
20 **possible, equal that figure or be within one percent thereof. Each subdistrict shall be**
21 **composed of contiguous territory as compact as possible.**

22 **3. All board members elected or appointed in any such district shall be elected or**
23 **appointed to represent one of the subdistricts, beginning with the first general municipal**
24 **election or vacancy occurring after August 28, 2021. Each member shall, for one year**
25 **prior to the date of such member's election, reside in the subdistrict from which such**
26 **member is elected or, in the case of a vacancy, the subdistrict from which such member is**
27 **appointed. If a member removes the member's residence from the subdistrict, the member**
28 **shall forfeit the office. Such vacancy may be declared and the office filled by the remaining**
29 **members of the board as provided by law.**

30 **4. Elected members of the board in office on August 28, 2021, shall hold office for**
31 **the length of terms for which they were elected and until their successors are elected and**
32 **qualified, and any members appointed to fill vacancies in office occurring after August 28,**
33 **2021, shall serve until the next general municipal election, at which a successor shall be**
34 **elected to serve for the remainder of the term to which the replaced member was elected.**

35 **5. If a vacancy occurs subsequent to the eleventh Tuesday but prior to the eighth**
36 **Tuesday prior to the general municipal election, notice of election to fill such vacancy shall**
37 **be given within two days after the vacancy arises, but no later than the seventh Tuesday**
38 **prior to the general municipal election. Declarations of candidacy to fill such vacancy shall**
39 **be received for a period of five business days, between 8:00 a.m. and 5:00 p.m., after notice**
40 **is given, but no later than the first Monday prior to the sixth Tuesday prior to the general**
41 **municipal election. The names of the candidates shall be certified to the election authority**
42 **no later than the sixth Tuesday prior to the general municipal election. Notice of election,**
43 **declaration of candidacy, and certification to the election authority of any vacancies**
44 **occurring at any other time shall be filed as otherwise provided by law.**

45 **6. At the first general municipal election to occur after August 28, 2021, the**
46 **elections for the seats of any expiring terms or appointed terms, as provided in this section,**
47 **of at-large board members shall be filled by persons elected from the lowest-numbered**
48 **subdistricts, as those subdistricts are created and numbered by the board of election**
49 **commissioners. The second such general municipal election shall be for the lowest-**
50 **numbered subdistricts not filled at the prior election, and the third such election shall be**
51 **for the remaining subdistricts not filled at the prior two elections.**

52 **7. The law governing school districts and seven-director school districts shall**
53 **continue to apply to any district described under this section, except as expressly provided**
54 **under this section.**

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