

SECOND REGULAR SESSION

# HOUSE BILL NO. 2591

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE FISHEL.

4018H.02I

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to an urban school board election process.

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

Section A. Section 162.481, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.481, to read as follows:

162.481. 1. Except as otherwise provided in this section and in section 162.492, all elections of school directors in urban school districts shall be held biennially at the same times and places as municipal elections.

2. Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a seven-director district becomes an urban school district, the directors of the prior seven-director district shall continue as directors of the urban school district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban school district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban school district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban school district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected,

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 two shall be elected for terms of six years and two shall be elected for terms of two years. After  
19 seven directors of the urban school district have been elected under this subsection, their  
20 successors shall be elected for terms of six years.

21 3. **(1)** In any school district in which a majority of the district is located in any home rule  
22 city with more than one hundred fifty-five thousand but fewer than two hundred thousand  
23 inhabitants, elections shall be held annually at the same times and places as general municipal  
24 elections for all years where one or more terms expire, and the terms shall be for three years and  
25 until their successors are duly elected and qualified for all directors elected on and after August  
26 28, 1998, **except as provided in subdivision (2) of this subsection.**

27 **(2) In any school district described in subdivision (1) of this subsection, all school**  
28 **board members elected on or after April 5, 2022, shall be elected as provided in this**  
29 **subdivision.**

30 **(a) Before December 1, 2021, the election authority of the county in which the**  
31 **school district is located shall divide the school district into two at-large districts and five**  
32 **subdistricts. One of the two at-large districts shall encompass the northern half of the**  
33 **school district and one shall encompass the southern half of the school district, and both**  
34 **at-large districts shall be as nearly equal in population as practical. The five subdistricts**  
35 **shall be of contiguous and compact territory and as nearly equal in population as practical.**  
36 **Within six months after each decennial census is reported to the President of the United**  
37 **States, the election authority shall reapportion the at-large districts and the subdistricts**  
38 **to be as nearly equal in population as practical. The at-large districts and subdistricts shall**  
39 **be numbered from one upward consecutively, and as much as practical the numbers shall**  
40 **be retained upon reapportionment.**

41 **(b) a. On the first day available for candidate filing after the at-large districts and**  
42 **subdistricts are created under this subdivision, any qualified resident may file as a**  
43 **candidate for election to the school board. Members serving on the existing board may**  
44 **also file as a candidate for the at-large district or subdistrict in which the member resides.**  
45 **No candidate's name shall be printed on the ballot unless the candidate has, at least sixty**  
46 **days before the election, filed a declaration of candidacy with the election authority**  
47 **containing the signatures of at least one hundred registered voters who are residents of the**  
48 **at-large district or subdistrict within which the candidate for election to an at-large district**  
49 **or subdistrict resides. The election authority shall determine the validity of all signatures**  
50 **on declarations of candidacy.**

51 **b. The election authority shall determine, by random drawing, the order in which**  
52 **such candidates' names appear on the ballot. The drawing shall be conducted so that each**  
53 **candidate may draw a number at random at the time of filing.**

54           (c) On the general municipal election day in 2022, the seven candidates, one from  
55 each of the two at-large districts and five subdistricts, who receive a plurality of the votes  
56 cast by the voters of that at-large district or subdistrict shall be elected. The two members  
57 representing at-large districts 1 and 2 shall be elected to an initial term of four years, the  
58 three members representing subdistricts 3, 5, and 7 of the subdivided school district shall  
59 be elected to an initial term of three years, and the remaining two members representing  
60 subdistricts 4 and 6 of the subdivided school district shall be elected to an initial term of  
61 two years. Each term thereafter shall be a three-year term. The terms of members serving  
62 on the existing board when the first election occurs under this subdivision shall expire  
63 when the new at-large district and subdistrict board members are elected and qualified.

64           (d) Each member shall serve until a successor is elected or the member vacates the  
65 office. Any vacancy that occurs more than six months before the election for filling the new  
66 at-large district or subdistrict board positions shall be filled by the remaining members of  
67 the board, who shall select a qualified person from a list of qualified residents of the at-  
68 large district or subdistrict. Any vacancy that occurs with fewer than six months  
69 remaining in the unexpired term shall remain vacant until the next general municipal  
70 election day.

71           (e) Each member shall be a resident of the school district for the two years  
72 immediately preceding the member's election, and shall be a resident of the at-large district  
73 or subdistrict for the year immediately preceding the member's election.

74           (f) a. Except for the board members initially elected under this subdivision and  
75 incumbents elected to an additional term under subparagraph b. of this paragraph, no  
76 person shall be elected to the board for more than nine consecutive years.

77           b. At any election occurring after the initial election under this subdivision, if any  
78 incumbent has served nine consecutive years and no other candidate files for election at the  
79 end of incumbent's last term, the incumbent may file as a candidate for the incumbent's  
80 office for one additional three-year term. If any other qualified resident files as a  
81 candidate for the incumbent's office before the filing deadline, the incumbent shall be  
82 disqualified and not placed on the ballot.

83           4. For any school district which becomes an urban school district by reason of the 2000  
84 federal decennial census, elections shall be held annually at the same times and places as general  
85 municipal elections for all years where one or more terms expire, and the terms shall be for three  
86 years and until their successors are duly elected and qualified for all directors elected on and after  
87 August 28, 2001.

88           5. In any school district in any county with a charter form of government and with more  
89 than three hundred thousand but fewer than four hundred fifty thousand inhabitants which

90 becomes an urban school district by reason of the 2010 federal decennial census, elections shall  
91 be held annually at the same times and places as general municipal elections for all years where  
92 one or more terms expire, and the terms shall be for three years and until their successors are  
93 duly elected and qualified for all directors elected on and after April 2, 2012.

94         6. In any urban school district in a county of the first classification with more than  
95 eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city  
96 with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the  
97 county seat, elections shall be held annually at the same times and places as general municipal  
98 elections for all years where one or more terms expire, and upon expiration of any term after  
99 August 28, 2015, the term of office shall be for three years and until their successors are duly  
100 elected and qualified.

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