

SENATE BILL NO. 234

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

0962S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 115.351, 162.083, 162.221, 162.223, 162.241, 162.261, 162.291, 162.301, 162.341, 162.431, 162.459, 162.471, 162.481, 162.492, 162.601, 162.821, 162.825, 162.865, 162.867, and 162.910, RSMo, and to enact in lieu thereof twenty-one new sections relating to school board elections, with an effective date.

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

Section A. Sections 115.351, 162.083, 162.221, 162.223,
2 162.241, 162.261, 162.291, 162.301, 162.341, 162.431, 162.459,
3 162.471, 162.481, 162.492, 162.601, 162.821, 162.825, 162.865,
4 162.867, and 162.910, RSMo, are repealed and twenty-one new
5 sections enacted in lieu thereof, to be known as sections
6 115.351, 162.082, 162.083, 162.221, 162.223, 162.241, 162.261,
7 162.291, 162.301, 162.341, 162.431, 162.459, 162.471, 162.481,
8 162.492, 162.601, 162.821, 162.825, 162.865, 162.867, and
9 162.910, to read as follows:

115.351. No person who files as a party candidate for
2 nomination or election to an office shall, without
3 withdrawing, file as another party's candidate or an
4 independent candidate for nomination or election to the
5 office for the same term. No person who files as an
6 independent candidate for election to an office shall,
7 without withdrawing, file as a party candidate for
8 nomination or election to the office for the same term. No
9 person shall file for one office and, without withdrawing,
10 file for another office to be filled at the same election;

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

11 **except that, a candidate for school board may file for and**
12 **hold any other office for which he or she is qualified.**

13 Receipt by the secretary of state of proper certification of
14 nomination pursuant to subsection 1 of section 115.399
15 constitutes withdrawal by operation of law pursuant to
16 subsection 1 of section 115.359 of any presidential or vice
17 presidential nominee from any other office for which such
18 nominee is a candidate at the same election. Any person
19 violating any provision of this section shall be
20 disqualified from running for nomination or election to any
21 office at the primary and general election next succeeding
22 the violation.

162.082. 1. **Elections for all school board members**
2 **shall be held on the first Tuesday after the first Monday in**
3 **November of even-numbered years, and the term of every**
4 **school board member elected in 2024 and every year**
5 **thereafter shall be four years, except as specifically**
6 **provided in other sections.**

7 2. **Any school board member whose term expires prior to**
8 **the first Tuesday after the first Monday in November of 2024**
9 **or in any other odd-numbered year thereafter shall continue**
10 **to serve until his or her successor is duly elected and**
11 **qualified at the next general election.**

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

20 **4. As used in this chapter, "school board member**
21 **election" or "school board election" means the election held**
22 **on the first Tuesday after the first Monday of November in**
23 **even-numbered years starting in 2024.**

 162.083. 1. The state board of education may appoint
2 additional members to any special administrative board
3 appointed under section 162.081.

4 2. The state board of education may set a final term
5 of office for any member of a special administrative board,
6 after which a successor member shall be elected by the
7 voters of the district.

8 (1) All final terms of office for members of the
9 special administrative board established under this section
10 shall expire on June thirtieth.

11 (2) The election of a successor member shall occur on
12 the [general municipal election day] **first Tuesday after the**
13 **first Monday in November of the even-numbered year**
14 immediately prior to the expiration of the final term of
15 office.

16 (3) The election shall be conducted in a manner
17 consistent with the election laws applicable to the school
18 district.

19 3. Nothing in this section shall be construed as
20 barring an otherwise qualified member of the special
21 administrative board from standing for an elected term on
22 the board.

23 4. On a date set by the state board of education, any
24 district operating under the governance of a special
25 administrative board shall return to local governance, and
26 continue operation as a school district as otherwise
27 authorized by law.

162.221. 1. When the voters of any one or more
2 districts as authorized in section 162.211, except those
3 districts designated in subdivision (2) thereof, desire to
4 form a seven-director district, a petition signed by at
5 least ten percent in number of those voting for school board
6 members in the last [annual] school election in each
7 district or one hundred voters, whichever is the higher
8 number, shall be filed with the state board of education.
9 On receipt of the petition, a representative of the state
10 department of education, designated by the commissioner of
11 education, shall visit the districts and determine the exact
12 boundaries of the proposed seven-director district. In
13 determining these boundaries, he **or she** shall so locate the
14 boundary lines as will in his **or her** judgment form the best
15 possible seven-director district, having due regard also to
16 the welfare of adjoining districts.

17 2. Within sixty days after the receipt of the
18 petition, the commissioner of education shall submit the
19 question to the voters of the proposed district. The notice
20 shall include a statement of the purpose together with a
21 plat of the proposed district. The state commissioner shall
22 file a copy of the petition and of the plat with the county
23 clerk. The election shall be conducted in the manner
24 provided in section 162.191.

162.223. 1. When the voters in any two or more
2 adjacent districts without limitation as to size or
3 enrollment desire to consolidate and form a new district, a
4 petition asking for an election upon the question of
5 consolidation shall be filed with the boards of education of
6 the affected districts; provided, however, that such
7 petition shall be signed by ten percent of those in each
8 district who voted for school directors at the last election

9 in which such directors were elected, or one hundred voters,
10 whichever is the higher number.

11 2. As an alternative to the procedure in subsection 1
12 of this section, two or more adjacent districts may, by a
13 majority vote of each board of education, call for an
14 election upon the question of consolidation.

15 3. The question shall be submitted in substantially
16 the following form:

17 Shall the _____ school district and the _____
18 school district (and the _____ school district)
19 form a new district with a tax rate ceiling of
20 _____ per one hundred dollars of assessed
21 valuation? If this proposition is approved, the
22 adjusted operating levy of the new school
23 district is estimated to be _____ (amount) per
24 one hundred dollars of assessed valuation.

25 4. The board of directors of each affected district
26 shall cause the question to be included on the ballot to be
27 submitted to the voters in each such district at the next
28 election day. A plat of the proposed new district shall be
29 published and posted with the notices of election.

30 5. The results of the voting on the proposal in each
31 district affected shall be certified to the state
32 commissioner of education by the secretary of each board of
33 education of each district or by such other person or body
34 charged with conducting such elections and, should the
35 majority of the votes cast in each affected district be in
36 favor of the proposal, the state commissioner shall declare
37 the new district formed as of July first following the
38 submission of the question.

39 6. If the commissioner of education declares, before
40 the closing date for filing for the election of board

41 members [on the municipal election date], that the new
42 district is to be formed as of July first, no candidates
43 shall be certified by the districts involved in the
44 consolidation and the board members whose terms would
45 otherwise have expired on that date shall remain as board
46 members until July first. In consolidation cases where
47 there is insufficient time from the date the commissioner of
48 education declares that the new district shall be formed as
49 of July first and July first to hold an election of board
50 members, seven board members from the boards of the
51 consolidating districts shall be drawn by lot to serve until
52 the next election at which the new board of education can be
53 elected. The number of board members selected from one
54 district shall not exceed the quotient resulting from seven
55 divided by the number of districts consolidating rounded
56 down to the nearest whole number plus one. The commissioner
57 of education or a designee shall supervise the drawing, by
58 lot, of the board members which shall be approved by the
59 state board of education.

162.241. If a proposal to form a district pursuant to
2 the provisions of sections 162.171 to 162.191, 162.211 and
3 162.221, or section 162.223 receives the required majority
4 of the votes cast on the proposition, the state board of
5 education or the county commission, in the case of a
6 district formed pursuant to the provisions of sections
7 162.171 to 162.191 or 162.211 and 162.221, shall order an
8 election in the district to be held. This election shall be
9 for the purpose of electing seven members to serve on the
10 school board of the district. Such election shall be held
11 on the [next election day as provided under section 115.123]
12 **first Tuesday after the first Monday in November of an even-**
13 **numbered year.** The election shall be conducted in the

14 manner provided by section 162.371. A letter from the
15 commissioner of education, delivered by certified mail to
16 the presiding commissioner of the county commission of the
17 county to which the district formed by provisions of section
18 162.223 is assigned shall be the authority for the county
19 commission to proceed with election procedures in the same
20 manner as they would be performed by the district board of
21 education were it in existence; but the costs of the
22 election shall be paid from the incidental fund of the new
23 district. **[Two] Three** directors shall be elected to serve
24 **[until the next municipal election] two-year terms**, two to
25 serve **[until the second municipal election] four-year terms**,
26 and two to serve **[until the third municipal election. The**
27 **seventh board member shall be elected to serve until the**
28 **municipal election during which the majority of school**
29 **districts elect three board members] six-year terms. Any**
30 **director elected after this initial election shall serve a**
31 **four-year term.**

162.261. 1. The government and control of a seven-
2 director school district, other than an urban district, is
3 vested in a board of education of seven members, who hold
4 their office for **[three] four** years, except as provided in
5 sections 162.241 and 162.563, and until their successors are
6 duly elected and qualified. Any vacancy occurring in the
7 board shall be filled by the remaining members of the board;
8 except that if there are more than two vacancies at any one
9 time, the county commission upon receiving written notice of
10 the vacancies shall fill the vacancies by appointment. If
11 there are more than two vacancies at any one time in a
12 county without a county commission, the county executive
13 upon receiving written notice of the vacancies shall fill
14 the vacancies, with the advice and consent of the county

15 council, by appointment. The person appointed shall hold
16 office until the next [municipal] election, when a director
17 shall be elected for the unexpired term.

18 2. No seven-director, urban, or metropolitan school
19 district board of education shall hire a spouse of any
20 member of such board for a vacant or newly created position
21 unless the position has been advertised pursuant to board
22 policy and the superintendent of schools submits a written
23 recommendation for the employment of the spouse to the board
24 of education. The names of all applicants as well as the
25 name of the applicant hired for the position shall be
26 included in the board minutes.

27 3. The provisions of Article VII, Section 6 of the
28 Missouri Constitution apply to school districts.

162.291. Except as provided in section 162.563, the
2 voters of each seven-director district other than urban
3 districts shall, [at municipal elections] **on the first**
4 **Tuesday after the first Monday in November of even-numbered**
5 **years**, elect [two] directors, who are citizens of the United
6 States and resident taxpayers of the district, [who] **in**
7 **accordance with the provisions of section 162.082. Such**
8 **directors shall** have resided in the district for one year
9 next preceding their election or appointment, and [who are]
10 **be** at least twenty-four years of age.

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. The board shall organize by the election of a
9 president and vice president, and the board shall, on or
10 before the fifteenth day of **[July of each year] January in**
11 **odd-numbered years**, elect a secretary and a treasurer, who
12 shall enter upon their respective duties on the fifteenth
13 day of **[July] January**. The secretary and treasurer may be
14 or may not be members of the board. No compensation shall
15 be granted to either the secretary or the treasurer until
16 his **or her** 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.

 162.341. The **[annual] school board member** election in
2 seven-director districts**[, except urban districts,]** shall be
3 held on **[municipal election days] the first Tuesday after**
4 **the first Monday in November of even-numbered years**.

 162.431. 1. When it is necessary to change the
2 boundary lines between seven-director school districts, in
3 each district affected, ten percent of the voters by number
4 of those voting for school board members in the last
5 **[annual]** school election in each district may petition the
6 district boards of education in the districts affected,
7 regardless of county lines, for a change in boundaries. The
8 question shall be submitted at the next election, as the
9 term election is referenced and defined in section 115.123.

10 2. The voters shall decide the question by a majority
11 vote of those who vote upon the question. If assent to the
12 change is given by each of the various districts voting,
13 each voting separately, the boundaries are changed from that
14 date.

15 3. If one of the districts votes against the change
16 and the other votes for the change, the matter may be
17 appealed to the state board of education, in writing, within
18 fifteen days of the submission of the question by either one
19 of the districts affected, or in the above event by a
20 majority of the signers of the petition requesting a vote on
21 the proposal. At the first meeting of the state board
22 following the appeal, a board of arbitration composed of
23 three members, none of whom shall be a resident of any
24 district affected, shall be appointed. In determining
25 whether it is necessary to change the boundary line between
26 seven-director districts, the board of arbitration shall
27 base its decision upon the following:

28 (1) The presence of school-aged children in the
29 affected area;

30 (2) The presence of actual educational harm to school-
31 aged children, either due to a significant difference in the
32 time involved in transporting students or educational
33 deficiencies in the district which would have its boundary
34 adversely affected; and

35 (3) The presence of an educational necessity, not of a
36 commercial benefit to landowners or to the district
37 benefitting for the proposed boundary adjustment.

38 For purposes of subdivision (2) of this subsection,
39 "significant difference in the time involved in transporting
40 students" shall mean a difference of forty-five minutes or
41 more per trip in travel time. "Travel time" is the period
42 of time required to transport a pupil from the pupil's place
43 of residence or other designated pick-up point to the site
44 of the pupil's educational placement.

45 4. Within twenty days after notification of
46 appointment, the board of arbitration shall meet and

47 consider the necessity for the proposed changes and shall
48 decide whether the boundaries shall be changed as requested
49 in the petition or be left unchanged, which decision shall
50 be final. The decision by the board of arbitration shall be
51 rendered not more than thirty days after the matter is
52 referred to the board. The [chairman] **chair** of the board of
53 arbitration shall transmit the decision to the secretary of
54 each district affected who shall enter the same upon the
55 records of his **or her** district and the boundaries shall
56 thereafter be in accordance with the decision of the board
57 of arbitration. The members of the board of arbitration
58 shall be allowed a fee of fifty dollars each, to be paid at
59 the time the appeal is made by the district taking the
60 appeal or by the petitioners should they institute the
61 appeal.

62 5. If the board of arbitration decides that the
63 boundaries shall be left unchanged, no new petition for the
64 same, or substantially the same, boundary change between the
65 same districts shall be filed until after the expiration of
66 two years from the date of the municipal election at which
67 the question was submitted to the voters of the districts.

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. [At the
5 first election for members of the school board in each of
6 such districts after January 1, 1993, and each three years
7 thereafter, three members of the school board shall be
8 elected; except, no school district composed of seven
9 members as of January 1, 1993, shall be required to modify
10 its schedule of electing board members] **For all board**
11 **members serving terms as of January 1, 2024, their terms**

12 **shall be modified in accordance with the provisions of**
13 **section 162.082. The term of every board member elected in**
14 **2024 or thereafter shall be four years.**

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

162.471. 1. The government and control of an urban
2 school district is vested in a board of seven directors.

3 2. Except as provided in section 162.563, each
4 director shall be a voter of the district who has resided
5 within this state for one year next preceding the director's
6 election or appointment and who is at least twenty-four
7 years of age. All directors **elected in 2024 or thereafter,**
8 **except as otherwise provided in sections 162.481, 162.492,**
9 **and 162.563, shall hold their offices for [six] four years**
10 **and until their successors are duly elected and qualified.**
11 **The term of any board member serving a six-year term as of**
12 **January 1, 2024, shall be modified in accordance with the**
13 **provisions of section 162.082.** All vacancies occurring in
14 the board, except as provided in section 162.492, shall be
15 filled by appointment by the board as soon as practicable,
16 and the person appointed shall hold office until the next
17 school board election, when a successor shall be elected for
18 the remainder of the unexpired term. The power of the board
19 to perform any official duty during the existence of a
20 vacancy continues unimpaired thereby.

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] on the first Tuesday after the first Monday in**
6 **November of even-numbered years.**

7 2. Except as otherwise provided in **[subsections 3, 4,**
8 **and 5] subsection 3** of this section, hereafter when a seven-
9 director district becomes an urban school district, the
10 directors of the prior seven-director district shall
11 continue as directors of the urban school district until the
12 expiration of the terms for which they were elected and
13 until their successors are elected as provided in this
14 subsection. The first biennial school election for
15 directors shall be held in the urban school district at the
16 time provided in subsection 1 **of this section** which is on
17 the date of or subsequent to the expiration of the terms of
18 the directors of the prior district which are first to
19 expire, and directors shall be elected to succeed the
20 directors of the prior district whose terms have expired.
21 If the terms of two directors only have expired, the
22 directors elected at the first biennial school election in
23 the urban school district shall be elected for terms of six
24 years. If the terms of four directors have expired, two
25 directors shall be elected for terms of six years and two
26 shall be elected for terms of four years. At the next
27 succeeding biennial election held in the urban school
28 district, successors for the remaining directors of the
29 prior seven-director district shall be elected. If only two
30 directors are to be elected they shall be elected for terms
31 of six years each. If four directors are to be elected, two
32 shall be elected for terms of six years and two shall be
33 elected for terms of two years. After seven directors of
34 the urban school district have been elected under this
35 subsection, their successors shall be elected for terms of
36 **[six] four** years.

37 3. [In any school district in which a majority of the
38 district is located in any home rule city with more than one
39 hundred fifty-five thousand but fewer than two hundred
40 thousand inhabitants, elections shall be held annually at
41 the same times and places as general municipal elections for
42 all years where one or more terms expire, and the terms
43 shall be for three years and until their successors are duly
44 elected and qualified for all directors elected on and after
45 August 28, 1998.

46 4.] For any school district which becomes an urban
47 school district by reason of the [2000] **2020** federal
48 decennial census, elections shall be held [annually at the
49 same times and places as general municipal elections for all
50 years where one or more terms expire] **on the first Tuesday**
51 **after the first Monday in November of even-numbered years,**
52 and the terms shall be for [three] **four** years and until
53 their successors are duly elected and qualified for all
54 directors elected on and after [August 28, 2001] **November 8,**
55 **2024.**

56 [5.] 4. In any school district in any county with a
57 charter form of government and with more than three hundred
58 thousand but fewer than four hundred fifty thousand
59 inhabitants which becomes an urban school district by reason
60 of the 2010 federal decennial census, elections shall be
61 held annually at the same times and places as general
62 municipal elections for all years where one or more terms
63 expire, and the terms shall be for three years and until
64 their successors are duly elected and qualified for all
65 directors elected on and after April 2, 2012.

66 [6.] 5. In any urban school district in a county of
67 the first classification with more than eighty-three
68 thousand but fewer than ninety-two thousand inhabitants and

69 with a home rule city with more than seventy-six thousand
70 but fewer than ninety-one thousand inhabitants as the county
71 seat, elections shall be held annually at the same times and
72 places as general municipal elections for all years where
73 one or more terms expire, and upon expiration of any term
74 after August 28, 2015, the term of office shall be for three
75 years and until their successors are duly elected and
76 qualified.

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

18 2. School **board** elections for the election of
19 directors shall be held on municipal election days in 2014
20 and 2016. At the election in 2014, directors shall be
21 elected to hold office until 2019 and until their successors
22 are elected and qualified. At the election in 2016,
23 directors shall be elected until 2019 and until their
24 successors are elected and qualified. Beginning in [2019]

25 **2024**, school **board member** elections for the election of
26 directors shall be held on the [local election date as
27 specified in the charter of a home rule city with more than
28 four hundred thousand inhabitants and located in more than
29 one county] **first Tuesday after the first Monday in November**
30 **of even-numbered years. The terms of board members**
31 **described in this subsection shall be modified in accordance**
32 **with the provisions of section 162.082.** Beginning at the
33 election for school directors in [2019] **2024**, the number of
34 directors on the board shall be reduced from nine to seven.
35 Two directors shall be at-large directors and five directors
36 shall represent the subdistricts, with one director from
37 each of the subdistricts. At the [2019] **2024** election, one
38 of the at-large directors and the directors from
39 subdistricts one, three, and five shall be elected for a two-
40 year term, and the other at-large director and the directors
41 from subdistricts two and four shall be elected for a four-
42 year term. Thereafter, all seven directors shall serve a
43 four-year term. Directors shall serve until the next
44 election and until their successors, then elected, are duly
45 qualified as provided in this section. In addition to other
46 qualifications prescribed by law, each member elected from a
47 subdistrict shall be a resident of the subdistrict from
48 which he or she is elected. The subdistricts shall be
49 numbered from one to five.

50 3. The five candidates, one from each of the
51 subdistricts, who receive a plurality of the votes cast by
52 the voters of that subdistrict and the at-large candidates
53 receiving a plurality of the at-large votes shall be
54 elected. The name of no candidate for nomination shall be
55 printed on the ballot unless the candidate has at least
56 sixty days prior to the election filed a declaration of

57 candidacy with the secretary of the board of directors
58 containing the signatures of at least two hundred fifty
59 registered voters who are residents of the subdistrict
60 within which the candidate for nomination to a subdistrict
61 office resides, and in case of at-large candidates the
62 signatures of at least five hundred registered voters. The
63 election authority shall determine the validity of all
64 signatures on declarations of candidacy.

65 4. In any election either for at-large candidates or
66 candidates elected by the voters of subdistricts, if there
67 are more than two candidates, a majority of the votes are
68 not required to elect but the candidate having a plurality
69 of the votes shall be elected.

70 5. The names of all candidates shall appear upon the
71 ballot without party designation and in the order of the
72 priority of the times of filing their petitions of
73 nomination. No candidate may file both at large and from a
74 subdistrict and the names of all candidates shall appear
75 only once on the ballot, nor may any candidate file more
76 than one declaration of candidacy. All declarations shall
77 designate the candidate's residence and whether the
78 candidate is filing at large or from a subdistrict and the
79 numerical designation of the subdistrict or at-large area.

80 6. The provisions of all sections relating to seven-
81 director school districts shall also apply to and govern
82 urban districts in cities of more than three hundred
83 thousand inhabitants, to the extent applicable and not in
84 conflict with the provisions of those sections specifically
85 relating to such urban districts.

86 7. Vacancies which occur on the school board between
87 the dates of election shall be filled by special election if
88 such vacancy happens more than six months prior to the time

89 of holding an election as provided in subsection 2 of this
90 section. The state board of education shall order a special
91 election to fill such a vacancy. A letter from the
92 commissioner of education, delivered by certified mail to
93 the election authority or authorities that would normally
94 conduct an election for school board members shall be the
95 authority for the election authority or authorities to
96 proceed with election procedures. If a vacancy occurs less
97 than six months prior to the time of holding an election as
98 provided in subsection 2 of this section, no special
99 election shall occur and the vacancy shall be filled at the
100 next **school board member** election day [on which local
101 elections are held as specified in the charter of any home
102 rule city with more than four hundred thousand inhabitants
103 and located in more than one county].

162.601. 1. [Elected members of the board in office
2 on August 28, 1998, shall hold office for the length of term
3 for which they were elected, and any members appointed
4 pursuant to section 162.611 to fill vacancies left by
5 elected members in office on August 28, 1998, shall serve
6 for the remainder of the term to which the replaced member
7 was elected.

8 2. No board members shall be elected at the first
9 municipal election in an odd-numbered year next following
10 August 28, 1998.

11 3. Three board members shall be elected at the second
12 municipal election in an odd-numbered year next following
13 August 28, 1998, to serve four-year terms.

14 4. Four board members shall be elected at the third
15 municipal election in an odd-numbered year next following
16 August 28, 1998, and two of such members shall be elected to
17 four-year terms and two of such members shall be elected to

18 three-year terms. For the two members elected at the
19 municipal election in 2006, the terms of such members shall
20 expire after their successors are elected and qualified
21 pursuant to subsection 6 of this section.

22 5. Beginning with the fourth municipal election in an
23 odd-numbered year next following August 28, 1998, and at
24 each succeeding municipal election in a year during which
25 board member terms expire, there shall be elected members of
26 the board of education, who shall assume the duties of their
27 office at the first regular meeting of the board of
28 education after their election, and who shall hold office
29 for four years, and until their successors are elected and
30 qualified.

31 6. For the two board members who are elected at the
32 municipal election in 2006, their successors thereafter
33 shall be elected at the general election in the year in
34 which their terms expire] **All board members shall be elected
35 at elections held on the first Tuesday after the first
36 Monday in November of even-numbered years. For all board
37 members serving terms as of January 1, 2024, their terms
38 shall be modified in accordance with the provisions of
39 section 162.082. The term of every board member elected in
40 2024 or thereafter shall be four years.**

41 [7.] 2. Members of the board of directors shall be
42 elected to represent seven subdistricts. The subdistricts
43 shall be established by the state board of education to be
44 compact, contiguous and as nearly equal in population as
45 practicable. The subdistricts shall be revised by the state
46 board of education after each decennial census and at any
47 other time the state board determines that the district's
48 demographics have changed sufficiently to warrant
49 redistricting.

50 [8.] 3. A member shall reside in and be elected in the
51 subdistrict which the member is elected to represent.
52 Subdistrict 1 shall be comprised of wards 1, 2, 22 and 27.
53 Subdistrict 2 shall be comprised of wards 3, 4, 5 and 21.
54 Subdistrict 3 shall be comprised of wards 18, 19, 20 and
55 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and
56 28. Subdistrict 5 shall be comprised of wards 9, 10, 11 and
57 12. Subdistrict 6 shall be comprised of wards 13, 14, 16
58 and 25. Subdistrict 7 shall be comprised of wards 8, 15, 23
59 and 24.

162.821. The district secretary shall keep a record of
2 the proceedings of all [annual and special] elections of the
3 voters of the district and of the proceedings of the board
4 of education. He **or she** shall make copies of the election
5 notices, contracts with teachers, certificates and all other
6 papers relating to the business of the district, and
7 securely keep the same. He **or she** shall maintain a correct
8 plat of the district and shall promptly notify the
9 department of elementary and secondary education and the
10 county clerk of each county affected of all changes in the
11 boundaries of the district. He **or she** shall transmit to the
12 county commission and to the state department of elementary
13 and secondary education, on or before the fifteenth day of
14 August in each year, a report embracing the following items:

15 (1) The number of children, male and female, attending
16 the public schools during the year;

17 (2) Total number of days' attendance by all such
18 children;

19 (3) The number of days the public schools of the
20 district have been maintained during the school year;

21 (4) The number of teachers employed, male and female,
22 and the wages per month of each;

- 23 (5) Estimated value of school property owned and
24 managed by the district;
- 25 (6) Assessed valuation of the district;
- 26 (7) Rate of school tax on the assessed valuation of
27 the district;
- 28 (8) Cash on hand at the beginning of the year;
- 29 (9) Tuition fees received and credited to the
30 teachers' fund of the district;
- 31 (10) Public funds received by county treasurer;
- 32 (11) District tax received by county (or township)
33 treasurer;
- 34 (12) Amount paid on teachers' wages;
- 35 (13) Amount paid for incidental expenses;
- 36 (14) Amount expended for purchasing site, erecting
37 schoolhouses, rent and repairs;
- 38 (15) Amount expended in cancelling bonded indebtedness
39 and paying interest on same;
- 40 (16) Amount expended for library;
- 41 (17) Cash on hand at the end of the year; **and**
- 42 (18) Such other information as may be required by the
43 state board of education.

162.825. Whenever there is presented to the state
2 board of education a petition signed by voters in each
3 district in the proposed special district equal in number in
4 each district to five percent of the number of votes cast
5 for school board members in the last [annual] school
6 election praying (a) that a special school district
7 embracing the entire area described in the petition be
8 organized for the education and training of handicapped and
9 severely handicapped children and for vocational education
10 purposes; and (b) that a proposal be submitted to the voters
11 of the proposed district for the organization of the special

12 school district, the state board of education, unless
13 section 162.835 applies, shall, within thirty days of the
14 receipt of said petition, direct the board of education of
15 each school district comprising the proposed special
16 district to cause the proposal to be submitted to the voters
17 in each such district at the next **[municipal] school board**
18 **member** election or, if the next **[annual] school board member**
19 election is more than sixty days away, cause the proposal to
20 be submitted to the voters in each such district at a
21 special election called in accordance with law on a date set
22 by the state board of education. The election shall be
23 conducted in each school district comprising the proposed
24 special district in the manner provided by law for the
25 conducting of school district elections generally in
26 sections 162.351 and 162.601, unless a different procedure
27 is specifically provided in sections 162.670 to **[162.995]**
28 **162.974.**

162.865. The board members of a special school
2 district with a population of not more than one hundred
3 thousand persons shall be elected at large. The seven
4 receiving the largest number of votes shall be elected and
5 the three receiving the highest number of votes cast shall
6 be elected for terms of **[three] six** years each; the two
7 receiving the next highest number of votes cast shall be
8 elected for terms of **[two] four** years each; and the two
9 receiving the next highest number of votes cast shall be
10 elected for terms of **[one year] two years** each. **[That part**
11 **of the year between the date of the election of board**
12 **members and the municipal election day of the following year**
13 **is considered a full year in the terms of the members**
14 **elected.]** All board members shall serve until their
15 successors are elected and qualified and the state board of

16 education shall issue certificates of election to the board
17 members elected.

162.867. 1. Board of education members of a special
2 school district with a population of more than one hundred
3 thousand persons in office on August 28, 1999, shall serve
4 the remainder of their terms and shall serve until their
5 successors are duly elected and qualified pursuant to this
6 section.

7 2. On and after August 28, 1999, each new member of a
8 board of education of a special school district with a
9 population of more than one hundred thousand persons shall
10 be elected pursuant to this section by the governing council
11 established pursuant to section 162.856.

12 3. Pursuant to this section, each qualified candidate
13 for the board of education of a special school district with
14 a population of more than one hundred thousand persons
15 shall:

16 (1) Be a voter of the district who has resided within
17 the state for one year next preceding selection to the board
18 and is resident in the subdistrict in which the candidate
19 files; **and**

20 (2) Be at least twenty-four years of age.

21 4. No member of the board of education of a special
22 school district with a population of more than one hundred
23 thousand persons shall:

24 (1) Vote on, solicit, transact, offer, or accept any
25 contract between the special school district and any
26 corporation, partnership, association, or other organization
27 in which that member of the board of education has a
28 financial interest, unless otherwise provided herein,
29 excluding interests owned prior to such member's election;

30 (2) Hold any office or employment of profit from the
31 board of education of the special school district while
32 serving. However, nothing in this section shall be
33 construed to preclude a person from being elected to or
34 serving on the board of education of the special school
35 district on the basis that the person is related to a pupil
36 of the special school district or to a pupil of any school
37 district all or a portion of which is contained within the
38 special school district; or

39 (3) Vote on, solicit, transact, offer, or accept any
40 contract or procurement in which that board member shall
41 have a direct or indirect beneficial interest, unless:

42 (a) The material facts as to such member's
43 relationship or interest and as to the contract or
44 transaction are disclosed in writing and are known to the
45 board and governing council, and such governing council and
46 board, in good faith, authorize the contract or transaction
47 by the affirmative vote of the majority of the disinterested
48 members; and

49 (b) Such member's relationship or interest in such
50 contract or transaction shall not be voted upon by such
51 interested member.

52 5. [Beginning in April, 1997, and every third year
53 thereafter, two members shall be elected. Beginning in
54 April, 1998, and every third year thereafter, two members
55 shall be elected. Beginning in April, 1999, and every third
56 year thereafter, three members shall be elected] **For all**
57 **board members serving terms as of January 1, 2024, their**
58 **terms shall be modified in accordance with the provisions of**
59 **section 162.082. The term of every board member elected in**
60 **2024 or thereafter shall be four years.** A member shall be
61 elected to fill each open seat on the board of education.

62 6. Board members **elected in 2024 or thereafter** shall
63 serve [~~three-year~~] **four-year** terms and shall serve until
64 their successors are duly elected and qualified.

65 7. The board of education shall, upon formation and
66 each decade within ninety days following the publication of
67 the final decennial census figures thereafter, adopt a
68 resolution calling for the formation of a redistricting
69 committee. Upon adoption of such resolution, the secretary
70 of the board of education shall forward a certified copy
71 thereof to the state board of education. The redistricting
72 committee shall consist of three residents within the
73 district, appointed by the board of education of the special
74 school district, plus three additional persons resident
75 within the special school district, appointed by the state
76 board of education. Thereafter, the redistricting committee
77 shall meet, organize itself with a [~~chairman~~] **chair** and
78 secretary, and proceed with the adoption of a redistricting
79 plan. Any plan proposed to be adopted must receive approval
80 of a majority of the whole redistricting committee. Upon
81 adoption, the redistricting committee shall forward a copy
82 of the plan certified by the secretary of the redistricting
83 committee to the state board of education for its approval
84 or disapproval. The state board of education shall approve
85 any redistricting plan which divides the special district
86 into seven subdistricts of equal population, taking into
87 account insofar as possible existing school district
88 boundary lines. Upon approval by the state board of
89 education, the redistricting plan shall become effective and
90 all board members selected thereafter shall be selected from
91 subdistricts in which they are resident. If the plan is not
92 approved, then it shall be returned to the redistricting
93 committee for revision and resubmission. If a redistricting

94 plan has not been adopted within one year after the
95 publication of the decennial census figures, the state board
96 of education shall provide the redistricting plan. No
97 member of the redistricting committee shall serve on the
98 board of education for a period of six years following such
99 service on the redistricting committee.

100 8. The structure of the board of education and the
101 selection of members of the board of education of a special
102 school district with a population of more than one hundred
103 thousand persons shall be as established pursuant to this
104 section, except as may be otherwise approved by the voters
105 of the special school district under section 162.858.

162.910. At the elections conducted pursuant to
2 section 162.865, the voters of a special district with a
3 population of not more than one hundred thousand persons
4 shall elect, by ballot, two board members to succeed those
5 whose terms have expired and the board members so elected
6 shall hold office for terms of [three] **four** years and until
7 their successors have been elected and qualified and shall
8 assume the duties of their offices at the first regular
9 meeting of the board of education held after their
10 election. Candidates shall file their declarations of
11 candidacy for office of board member with the secretary of
12 the board of education of the special school district. A
13 majority of the then qualified members of the board of
14 education of the special school district shall certify the
15 candidates receiving the greatest number of votes for terms
16 of [three] **four** years each and until their successors shall
17 have been elected and qualified, and shall declare and
18 certify the results of the vote cast on any question
19 presented at the election.

Section B. The enactment of section 162.082 and the
2 repeal and reenactment of sections 115.351, 162.083,
3 162.221, 162.223, 162.241, 162.261, 162.291, 162.301,
4 162.341, 162.431, 162.459, 162.471, 162.481, 162.492,
5 162.601, 162.821, 162.825, 162.865, 162.867, and 162.910 of
6 this act shall become effective on January 1, 2024.

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