

FIRST REGULAR SESSION

# SENATE BILL NO. 93

99TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR CURLS.

Pre-filed December 1, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0054S.02I

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## AN ACT

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

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Section A. Section 162.492, RSMo, is repealed and one new section  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

13 2. School elections for the election of directors shall be held on municipal  
14 election days in 2014 [and], 2016, and 2018. At the election in 2014,  
15 **subdistrict** directors shall be elected to hold office until 2019 and until their  
16 successors are elected and qualified, **and at-large directors shall be elected**  
17 **to hold office until 2018 and until their successors are elected and**  
18 **qualified**. At the election in 2016, **subdistrict** directors shall be elected until  
19 2019 and until their successors are elected and qualified, **and the at-large**

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

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

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

54 4. In any election either for at-large candidates or candidates elected by  
55 the voters of subdistricts, if there are more than two candidates, a majority of the

56 votes are not required to elect but the candidate having a plurality of the votes  
57 if there is only one office to be filled and the candidates having the highest  
58 number of votes, if more than one office is to be filled, shall be elected.

59         5. The names of all candidates shall appear upon the ballot without party  
60 designation and in the order of the priority of the times of filing their petitions  
61 of nomination. No candidate may file both at large and from a subdistrict and  
62 the names of all candidates shall appear only once on the ballot, nor may any  
63 candidate file more than one declaration of candidacy. All declarations shall  
64 designate the candidate's residence and whether the candidate is filing at large  
65 or from a subdistrict and the numerical designation of the subdistrict or at-large  
66 area.

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

71         7. Vacancies which occur on the school board between the dates of election  
72 shall be filled by special election if such vacancy happens more than six months  
73 prior to the time of holding an election as provided in subsection 2 of this  
74 section. The state board of education shall order a special election to fill such a  
75 vacancy. A letter from the commissioner of education, delivered by certified mail  
76 to the election authority or authorities that would normally conduct an election  
77 for school board members shall be the authority for the election authority or  
78 authorities to proceed with election procedures. If a vacancy occurs less than six  
79 months prior to the time of holding an election as provided in subsection 2 of this  
80 section, no special election shall occur and the vacancy shall be filled at the next  
81 election day on which local elections are held as specified in the charter of any  
82 home rule city with more than four hundred thousand inhabitants and located in  
83 more than one county.

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