

FIRST REGULAR SESSION

# HOUSE BILL NO. 683

## 99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROEBER.

0765H.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to recall elections for school board members.

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.670, to read as follows:

**160.670. 1. A school board member in any school district may be removed by voters in a recall election. Such election shall be held upon the submission of a petition signed by voters of the district equal in number to at least one percent of the number of persons voting at the last preceding election to elect a district board member. The petition shall be filed with the election authority and the secretary of the district board of education, and the petition shall contain a general statement of the grounds for which removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall provide the street and number of his or her residence. The person who files the petition with the election authority shall sign an affidavit that the signatures attached are true and correct to the best of his or her knowledge.**

**2. (1) Within thirty days from the date of filing the petition, the election authority shall examine and ascertain whether the petition is signed by the requisite number of voters. The election authority shall attach to the petition his or her certificate, showing the result of the examination.**

**(2) If the election authority finds the petition to be insufficient, the petition shall be returned to the person filing the petition, without prejudice to the filing of a new petition to the same effect.**

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           (3) If the petition shall be deemed to be sufficient, the election authority shall  
19 submit the petition to the district board without delay. If the petition shall be found to be  
20 sufficient, the district board shall order the question to be submitted to the voters of the  
21 district at the next election held on the first Tuesday after the first Monday in November  
22 of even-numbered years or at the next election in which the voters of the district vote for  
23 any school board member, whichever occurs first.

24           (4) Notwithstanding subsection 1 of this section, if no election will occur at the times  
25 described under subdivision (3) of this subsection before the term of the member who is  
26 the subject of the recall petition expires, no recall election shall be held, and such member  
27 shall serve the remainder of his or her term.

28           3. (1) If a majority of the voters vote in favor of retaining the member, the member  
29 shall remain in office and shall not be subject to another recall election during his or her  
30 term of office.

31           (2) If a majority of voters vote to remove the member, his or her successor shall be  
32 chosen in the same manner as any vacancy on the district board would be filled.

33           4. A school board member who was recalled shall not fill the vacancy created by  
34 the recall, but the school board member may seek election to the school board at any  
35 election not held to fill the vacancy created by his or her recall.

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