

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 152, Page 22, Section 161.1050, Line 31, by inserting after all of said section and
3 line the following:
4

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

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

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

23 4. (1) Any seven-director school district may divide into subdistricts and provide for the
24 election of subdistrict board members as provided in this subsection.

25 (2) (a) Before December first of the calendar year immediately preceding the general
26 municipal election day in the calendar year in which a vote to divide the school district into
27 subdistricts will be held, the election authority of the county in which the school district is located
28 shall divide the school district into seven subdistricts of contiguous and compact territory and as
29 nearly equal in population as practicable. Within six months after each decennial census is reported
30 to the President of the United States, the election authority shall reapportion the subdistricts to be as
31 nearly equal in population as practicable. The subdistricts shall be numbered from one upward
32 consecutively, and as much as practicable the numbers shall be retained upon reapportionment.
33 After the election authority divides the school district or reapportions the subdistricts, the election
34 authority shall notify the residents of the school district as provided by law.

35 (b) Any resident of the school district who believes the election authority has divided the
36 school district or reapportioned the subdistricts in violation of paragraph (a) of this subdivision may

Action Taken _____ Date _____

petition the circuit court of the county in which the school district exists for an order directing the election authority to divide the school district or reapportion the subdistricts as provided in paragraph (a) of this subdivision. The petition shall be submitted to the circuit court within ten business days of the election authority's notice provided under paragraph (a) of this subdivision.

(3) On the first day available for candidate filing for the first general municipal election day occurring after the subdistricts are created under this subsection, any qualified resident who has or will have resided in the subdistrict for the year immediately preceding the general municipal election day may file as a candidate for election to a subdistrict of the school board. At the end of the time available for candidate filing, if no qualified resident of a subdistrict has filed as a candidate in that subdistrict, the election authority shall extend the time for candidate filing by seven additional days, and any qualified resident of the school district who has or will have resided in the school district for the year immediately preceding the general municipal election day may file as a candidate for election to that subdistrict of the school board. The election authority shall determine the validity of all declarations of candidacy.

(4) When the election is held on the general municipal election day, the seven candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is not a subdistrict resident but qualifies as a candidate as a school district resident under subdivision (3) of this subsection shall be elected by the voters of the school district. The three members representing subdistricts 2, 4, and 6 of the subdivided school district shall be elected to an initial term of two years, and the remaining four members representing subdistricts 1, 3, 5, and 7 of the subdivided school district shall be elected to an initial term of three years. Each term thereafter shall be a three-year term.

(5) Each member shall serve until a successor is elected or the member vacates the office. Any vacancy that occurs before the end of the member's term shall be filled as provided in this section.

(6) Except for a member who is not a subdistrict resident but is elected as a school district resident to represent a subdistrict under subdivision (3) of this subsection, each member shall reside in the subdistrict the member represents during the member's term.

(7) All other provisions applicable to seven-director school districts that are not in conflict with this subsection shall apply to school districts divided into subdistricts under this subsection.

5. If any seven-director school district receives a petition, signed by at least ten percent of the number of registered voters of the school district voting in the last school board election, calling for an election to subdivide the school district into subdistricts and provide for the election of subdistrict board members as provided in subsection 4 of this section, the school district shall immediately notify the election authority of the county in which the school district is located to begin the process described in subsection 4 of this section.

162.281. Except as provided in subsection 4 of section 162.261, in all seven-director districts, including urban districts, when directors are to be elected for terms of different lengths, each candidate shall declare for a term of a specific number of years and the different terms shall be voted upon as separate propositions.

162.291. Except as provided in subsection 4 of section 162.261, the voters of each seven-director district other than urban districts shall, at municipal elections, elect two directors who are citizens of the United States and resident taxpayers of the district, who have resided in this state for one year next preceding their election or appointment, and who are at least twenty-four years of age."; and

Further amend said bill, Page 23, Section 162.441, Line 51, by inserting after all of said section and line the following:

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

3 2. Except as provided in subsection 3 of this section, each director shall be a voter of the
 4 district who has resided within this state for one year next preceding [his] the director's election or
 5 appointment and who is at least twenty-four years of age. All directors, except as otherwise
 6 provided in section 162.481 and section 162.492, hold their offices for six years and until their
 7 successors are duly elected and qualified. All vacancies occurring in the board, except as provided
 8 in section 162.492, shall be filled by appointment by the board as soon as practicable, and the person
 9 appointed shall hold [his] office until the next school board election, when [his] a successor shall be
 10 elected for the remainder of the unexpired term. The power of the board to perform any official
 11 duty during the existence of a vacancy continues unimpaired thereby.

12 3. (1) Except as provided in section 162.492, any urban school district may divide into
 13 subdistricts and provide for the election of subdistrict board directors as provided in this subsection.

14 (2) (a) Before December first of the calendar year immediately preceding the general
 15 municipal election day in the calendar year in which a vote to divide the school district into
 16 subdistricts will be held, the election authority of the county in which the school district is located
 17 shall divide the school district into seven subdistricts of contiguous and compact territory and as
 18 nearly equal in population as practicable. Within six months after each decennial census is reported
 19 to the President of the United States, the election authority shall reapportion the subdistricts to be as
 20 nearly equal in population as practicable. The subdistricts shall be numbered from one upward
 21 consecutively, and as much as practicable the numbers shall be retained upon reapportionment.
 22 After the election authority divides the school district or reapportions the subdistricts, the election
 23 authority shall notify the residents of the school district as provided by law.

24 (b) Any resident of the school district who believes the election authority has divided the
 25 school district or reapportioned the subdistricts in violation of paragraph (a) of this subdivision may
 26 petition the circuit court of the county in which the school district exists for an order directing the
 27 election authority to divide the school district or reapportion the subdistricts as provided in
 28 paragraph (a) of this subdivision. The petition shall be submitted to the circuit court within ten
 29 business days of the election authority's notice provided under paragraph (a) of this subdivision.

30 (3) On the first day available for candidate filing for the first general municipal election day
 31 occurring after the subdistricts are created under this subsection, any qualified resident who has or
 32 will have resided in the subdistrict for the year immediately preceding the general municipal
 33 election day may file as a candidate for election to a subdistrict of the school board. At the end of
 34 the time available for candidate filing, if no qualified resident of a subdistrict has filed as a
 35 candidate in that subdistrict, the election authority shall extend the time for candidate filing by seven
 36 additional days, and any qualified resident of the school district who has or will have resided in the
 37 school district for the year immediately preceding the general municipal election day may file as a
 38 candidate for election to that subdistrict of the school board. Candidates may be nominated as
 39 provided by section 162.491. The election authority shall determine the validity of all declarations
 40 of candidacy.

41 (4) When the election is held on the general municipal election day, the seven candidates,
 42 one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that
 43 subdistrict shall be elected. Any candidate who is not a subdistrict resident but qualifies as a
 44 candidate as a school district resident under subdivision (3) of this subsection shall be elected by the
 45 voters of the school district. The three directors representing subdistricts 2, 4, and 6 of the
 46 subdivided school district shall be elected to an initial term of five years, and the remaining four
 47 directors representing subdistricts 1, 3, 5, and 7 of the subdivided school district shall be elected to
 48 an initial term of six years. Each term thereafter shall be a six-year term.

49 (5) Each director shall serve until a successor is elected or the director vacates the office.

1 Any vacancy that occurs before the end of the director's term shall be filled as provided in this
 2 section.

3 (6) Except for a director who is not a subdistrict resident but is elected as a school district
 4 resident to represent a subdistrict under subdivision (3) of this subsection, each director shall reside
 5 in the subdistrict the director represents during the director's term.

6 (7) All other provisions applicable to urban school districts that are not in conflict with this
 7 subsection shall apply to school districts divided into subdistricts under this subsection.

8 4. If any urban school district receives a petition, signed by at least ten percent of the
 9 number of registered voters of the school district voting in the last school board election, calling for
 10 an election to subdivide the school district into subdistricts and provide for the election of subdistrict
 11 board directors as provided in subsection 3 of this section, the school district shall immediately
 12 notify the election authority of the county in which the school district is located to begin the process
 13 described in subsection 3 of this section.

14 162.481. 1. Except as otherwise provided in section 162.471, this section, and ~~[in]~~ section
 15 162.492, all elections of school directors in urban school districts shall be held biennially at the
 16 same times and places as municipal elections.

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

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

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

44 5. In any school district in any county with a charter form of government and with more
 45 than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes
 46 an urban school district by reason of the 2010 federal decennial census, elections shall be held
 47 annually at the same times and places as general municipal elections for all years where one or more
 48 terms expire, and the terms shall be for three years and until their successors are duly elected and
 49 qualified for all directors elected on and after April 2, 2012.

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

7 162.491. 1. Directors for urban school districts, other than those districts containing the
8 greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition
9 to be filed with the secretary of the board and signed by a number of voters in the district equal to
10 ten percent of the total number of votes cast for the director receiving the highest number of votes
11 cast at the next preceding biennial election, except as provided in subsection 4 of this section.

12 2. This section shall not be construed as providing the sole method of nominating candidates
13 for the office of school director in urban school districts which do not contain the greater part of a
14 city of over three hundred thousand inhabitants.

15 3. A director for any urban school district containing a city of greater than one hundred
16 thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an
17 independent candidate by filing with the secretary of the board a petition signed by five hundred
18 registered voters of such school district.

19 4. In any urban school district located in a county of the first classification with more than
20 eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with
21 more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, a
22 candidate for director shall file a declaration of candidacy with the secretary of the board and shall
23 not be required to submit a petition.

24 5. No candidate for election as a school board director representing a subdistrict under
25 subsection 3 of section 162.471 shall be required to file a declaration of candidacy under this section
26 as the sole method of filing for candidacy."; and
27

28 Further amend said bill by amending the title, enacting clause, and intersectional references
29 accordingly.