

FIRST REGULAR SESSION

HOUSE BILL NO. 112

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BOYKINS, WALTON, WILSON (42), BROOKS,
COLEMAN AND JOHNSON (61) (Co-sponsors).

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ANNE C. WALKER, Chief Clerk

0111L.011

AN ACT

To repeal sections 162.581, 162.601 and 162.611, RSMo 2000, relating to qualification and election of school board members in cities not within a county, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause.

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

Section A. Sections 162.581, 162.601 and 162.611, RSMo 2000, are repealed and three
2 new sections enacted in lieu thereof, to be known as sections 162.581, 162.601 and 162.611, to
3 read as follows:

162.581. 1. The members of the board of education shall be elected from the city, as
2 provided in section 162.601, on a general ticket, [and] shall be at least twenty-four years of age,
3 **shall be** citizens and residents of the city[, and shall have been residents and citizens] for at least
4 three years immediately preceding their election **and shall be residents of the subdistrict from**
5 **which they are elected**. They shall not hold any office, except that of notary public, in the city
6 or state, nor be interested in any contract with or claim against the board, either directly or
7 indirectly. If, at any time after [the] **his or her** election [of], any member of the board [he]
8 becomes interested in any contract with or claim against the board, either directly or indirectly,
9 or as agent or employee of any individual, firm or corporation, which is so interested, he **or she**
10 shall thereupon be disqualified to continue as a member of the board, and shall continue to be
11 so disqualified during the remainder of the term for which he **or she** was elected.

12 2. Every member of the board, before assuming the duties of [his] office, shall take oath
13 before a circuit or associate circuit judge of the city, which oath shall be kept of record in the

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

14 office of the board, that he **or she** possesses all the qualifications required by this section, and
15 that he **or she** will not, while serving as a member of the board, become interested in any
16 contract with or claim against the board, directly or indirectly, or as agent or employee of any
17 individual, firm or corporation which is so interested, and that he **or she** will not be influenced,
18 during his **or her** term of office, by any consideration except that of merit and fitness in the
19 appointment of officers and the engagement of employees.

20 3. No compensation shall be paid to the members of the board, but they are exempt from
21 service as election officers during the term of office.

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

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

7 3. **The three board members from the even-numbered subdistricts** shall be elected at
8 the second municipal election in an odd-numbered year next following August 28, 1998, to serve
9 four-year terms.

10 4. **The four board members from the odd-numbered subdistricts** shall be elected at
11 the third municipal election in an odd-numbered year next following August 28, 1998, and two
12 of such members shall be elected to four-year terms and two of such members shall be elected
13 to three-year terms.

14 5. Beginning with the fourth municipal election in an odd-numbered year next following
15 August 28, 1998, and at each succeeding municipal election in a year during which board
16 member terms expire, there shall be elected members of the board of education, who shall
17 assume the duties of their office at the first regular meeting of the board of education after their
18 election, and who shall hold office for four years, and until their successors are elected and
19 qualified.

20 6. Members of the board of directors shall be elected to represent seven subdistricts. The
21 subdistricts shall be established by the state board of education to be compact, contiguous and
22 as nearly equal in population as practicable. The subdistricts shall be revised by the state board
23 of education after each decennial census and at any other time the state board determines that the
24 district's demographics have changed sufficiently to warrant redistricting.

25 7. A member shall reside in and be elected **[in] by the voters of** the subdistrict which
26 the member is elected to represent. Subdistrict 1 shall be comprised of wards 1, 2, 22 and 27.
27 Subdistrict 2 shall be comprised of wards 3, 4, 5 and 21. Subdistrict 3 shall be comprised of
28 wards 18, 19, 20 and 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and 28. Subdistrict

29 5 shall be comprised of wards 9, 10, 11 and 12. Subdistrict 6 shall be comprised of wards 13,
30 14, 16 and 25. Subdistrict 7 shall be comprised of wards 8, 15, 23 and 24.

31 8. No one may run for school board who is employed by the school district or who is
32 related to an employee of the school district within the second degree of affinity or
33 consanguinity.

162.611. Any member failing to attend the meetings of the board for three consecutive
2 regular meetings, unless excused by the board for reasons satisfactory to the board, shall be
3 deemed to have vacated his **or her** seat; and the secretary of the board shall certify that fact to
4 the mayor. The secretary shall likewise certify to the mayor any other vacancy occurring in the
5 board. Any vacancy shall be filled by the mayor by appointment for the remainder of the term;
6 **provided that the vacancy shall be filled by a qualified resident of the subdistrict.**

Section B. Because immediate action is necessary to ensure correct and efficient election
2 processes in a municipal general election which will occur during the current session of the
3 general assembly, section A of this act is deemed necessary for the immediate preservation of
4 the public health, welfare, peace and safety, and is hereby declared to be an emergency act within
5 the meaning of the constitution, and section A of this act shall be in full force and effect upon
6 its passage and approval.