

FIRST REGULAR SESSION

HOUSE BILL NO. 499

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WALTON AND HOSKINS (Co-sponsors).

Read 1st time February 18, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1375L.031

AN ACT

To amend chapter 162, RSMo, by adding thereto one new section relating to the creation of subdistricts in certain school districts.

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

Section A. Chapter 162, RSMo, is amended by adding thereto one new section, to be known as section 162.386, to read as follows:

162.386. 1. Notwithstanding any other provision of law to the contrary, in any school district which is located within, or which adjoins a school district which is located within, in whole or in part, a street light maintenance district with a population of less than three thousand inhabitants, and that is located within a county with a charter form of government and with more than one million inhabitants, the board of election commissioners of such county shall establish seven subdistricts for the purpose of electing directors of such districts. The subdistrict boundaries shall be drawn by the commissioners within sixty days after August 28, 2003, and within six months after each decennial census is reported to the President of the United States. In the event that the board of election commissioners is unable to agree on the subdistrict boundaries by the deadlines established in this subsection, the governing body of the county shall, sitting as an apportionment commission, draw the boundaries within sixty days after the failure of the board of election commissioners to do so. Subdistrict boundaries drawn by the governing body of the county shall not be subject to veto by the chief executive of the county. The commissioners shall apportion the subdistricts by dividing the population, determined by the preceding decennial census, of the district by the number of directors and shall establish each subdistrict so that the population of that subdistrict shall, as nearly as possible, equal that figure or be within one percent thereof. Each subdistrict shall be

19 composed of contiguous territory as compact as may be.

20 **2. All board members elected or appointed in any such district shall be elected or**
21 **appointed to represent one of the subdistricts, beginning with the first general municipal**
22 **election or vacancy occurring after August 28, 2003. Each member shall reside for one**
23 **year prior to the date of his or her election in the subdistrict from which he or she is**
24 **elected, or, in the case of a vacancy, the subdistrict from which he or she is appointed, and**
25 **shall forfeit their office if they remove their residence from the subdistrict. Such vacancy**
26 **may be declared and the office filled by the remaining members of the board as provided**
27 **by law.**

28 **3. Elected members of the board in office on August 28, 2003, shall hold office for**
29 **the length of term for which they were elected, and until their successors are elected and**
30 **qualified, and any members appointed to fill vacancies in office occurring after August 28,**
31 **2003, shall serve until the next general municipal election, at which time a successor shall**
32 **be elected to serve for the remainder of the term to which the replaced member was**
33 **elected.**

34 **4. If a vacancy occurs subsequent to the eleventh Tuesday but prior to the sixth**
35 **Tuesday, prior to the general municipal election, notice of election to fill such vacancy shall**
36 **be given, within two days after the vacancy arises but not later than the sixth Tuesday**
37 **prior to the general municipal election; and declarations of candidacy to fill such a vacancy**
38 **shall be received for a period of five business days, between 8:00 a.m. and 5:00 p.m., after**
39 **notice is given, but not later than the fifth Tuesday prior to the general municipal election,**
40 **and the names of the candidates shall be certified to the election authority not later than**
41 **two days following the closing date for filing. Notice of election, declaration of candidacy,**
42 **and certification to the election authority of any vacancies occurring at any other time shall**
43 **be filed as otherwise provided by law.**

44 **5. At the first general municipal election to occur after August 28, 2003, the**
45 **elections for the seats of any expiring terms or appointed terms, as provided herein, of at-**
46 **large board members shall be filled by persons elected from the lowest-numbered**
47 **subdistricts, as those subdistricts are created and numbered by the board of election**
48 **commissioners. The second such general municipal election shall be for the lowest-**
49 **numbered subdistricts not filled at the prior election, and the third such election shall be**
50 **for the remaining subdistricts not filled at the prior two elections.**

51 **6. The law governing school districts and seven-director school districts shall**
52 **continue to apply to any district described in this section, except as expressly provided in**
53 **this section.**