

FIRST REGULAR SESSION

# HOUSE BILL NO. 686

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES JONES AND HAYWOOD (Co-sponsors).

Read 1<sup>st</sup> time March 17, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1726L.011

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### AN ACT

To repeal sections 162.581, 162.601, and 162.611, RSMo, and to enact in lieu thereof three new sections relating to election of school board members.

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Section A. Sections 162.581, 162.601, and 162.611, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 162.581, 162.601, and 162.611, to read as follows:

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

2. Every member of the board, before assuming the duties of [his] office, shall take oath before a circuit or associate circuit judge of the city, which oath shall be kept of record in the office of the board, that he **or she** possesses all the qualifications required by this section, and

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

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

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

162.601. 1. **Except as provided in subsections 2 and 3 of this section**, elected  
2 members of the board in office on August 28, [1998] **2003**, shall hold office for the length of  
3 term for which they were elected, and any members appointed pursuant to section 162.611 to fill  
4 vacancies left by elected members in office on August 28, [1998] **2003**, shall serve for the  
5 remainder of the term to which the replaced member was elected, **except that any member**  
6 **elected to a three-year term shall serve until his or her successor is elected and qualified.**

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

9 3.] Three board members, **one from each even-numbered subdistrict**, shall be elected  
10 at the [second] municipal election in [an odd-numbered year next following August 28, 1998,]  
11 **the year 2005 and every four years thereafter** to serve four-year terms.

12 [4.] **3.** Four board members, **one from each odd-numbered subdistrict**, shall be elected  
13 at the [third] municipal election in [an odd-numbered year next following August 28, 1998, and  
14 two of such members shall be elected to] **the year 2007 and every four years thereafter to**  
15 **serve** four-year terms [and two of such members shall be elected to three-year terms].

16 [5.] **4.** Beginning with the [fourth] municipal election in [an odd-numbered year next  
17 following August 28, 1998,] **the year 2005**, and at each succeeding municipal election in a year  
18 during which board member terms expire, there shall be elected members of the board of  
19 education, who shall assume the duties of their office at the first regular meeting of the board of  
20 education after their election, and who shall hold office for four years, and until their successors  
21 are elected and qualified.

22 [6.] **5.** Members of the board of directors shall be elected to represent seven subdistricts.  
23 [The subdistricts shall be established by the state board of education to be compact, contiguous  
24 and as nearly equal in population as practicable. The subdistricts shall be revised by the state  
25 board of education after each decennial census and at any other time the state board determines  
26 that the district's demographics have changed sufficiently to warrant redistricting.

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

30 wards 18, 19, 20 and 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and 28. Subdistrict  
31 5 shall be comprised of wards 9, 10, 11 and 12. Subdistrict 6 shall be comprised of wards 13,  
32 14, 16 and 25. Subdistrict 7 shall be comprised of wards 8, 15, 23 and 24. **In the event the**  
33 **aggregate number of wards in the district shall be either increased or decreased in total,**  
34 **or if the wards in one or more subdistricts are no longer contiguous, or if the subdistricts**  
35 **are no longer nearly equal in population as practicable upon redistricting of the wards by**  
36 **the city after each decennial census, not later than ninety days after August 28, 2003, or**  
37 **within six months after the wards are reapportioned, the subdistricts shall, after notice and**  
38 **a public hearing, be redistricted by the state board of education. The subdistricts**  
39 **established by the state board of education shall be compact, contiguous, and as nearly**  
40 **equal in population as practicable and shall not cross ward lines unless the total number**  
41 **of wards may not be evenly divided by seven.**

42 [8.] 6. No one may run for school board who is employed by the school district or who  
43 is related to an employee of the school district within the second degree of affinity or  
44 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 **of a qualified resident of the**  
6 **subdistrict** for the remainder of the term.