

SECOND REGULAR SESSION

HOUSE BILL NO. 817

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BOYKINS.

Pre-filed December 4, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2981L.011

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.

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Section A. Sections 162.581, 162.601, and 162.611, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 162.581, 162.601, and 162.611, to read as follows: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] **a board member's** 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] **the member** 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] **the member** was elected.

2. Every member of the board, before assuming the duties of [his] **the** 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] **the member** possesses all the qualifications required by this

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 section, and that [he] **the member** will not, while serving as a member of the board, become
17 interested in any contract with or claim against the board, directly or indirectly, or as agent or
18 employee of any individual, firm or corporation which is so interested, and that [he] **the member**
19 will not be influenced, during [his] **the** term of office, by any consideration except that of merit
20 and fitness in the appointment of officers 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. Elected members of the board in office on August 28, [1998] **2004**, shall
2 hold office for the length of term for which they were elected, and any members appointed
3 pursuant to section 162.611 to fill vacancies left by elected members in office on August 28,
4 [1998] **2004**, shall 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.] Three board members, **one from each even-numbered subdistrict**, shall be elected
8 at the [second] municipal election in [an odd-numbered year next following August 28, 1998,]
9 **the year 2005 and every four years thereafter** to serve four-year terms.

10 [4.] **3.** Four board members, **one from each odd-numbered subdistrict**, shall be elected
11 at the [third] municipal election in [an odd-numbered year next following August 28, 1998, and
12 two of such members shall be elected to] **the year 2007 and every four years thereafter to**
13 **serve** four-year terms and two of such members, **one each from subdistricts numbered 1 and**
14 **3**, shall be elected to [three-year] **one-year** terms, **on the first Tuesday following the first**
15 **Monday in April, 2006, to replace those members who were elected to three-year terms in**
16 **2003.**

17 [5.] **4.** Beginning with the [fourth] municipal election in [an odd-numbered year next
18 following August 28, 1998] **2005**, and at each succeeding municipal election in a year during
19 which board member terms expire, there shall be elected members of the board of education,
20 who shall assume the duties of their office at the first regular meeting of the board of education
21 after their election, and, **except as provided in subsection 3 of this section**, who shall hold
22 office for four years, and until their successors are elected and qualified.

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

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

30 Subdistrict 2 shall be comprised of wards 3, 4, 5 and 21. Subdistrict 3 shall be comprised of
31 wards 17, 18, 19, [20] and 26. Subdistrict 4 shall be comprised of wards 6, 7, [17] 9, and [28]
32 20. Subdistrict 5 shall be comprised of wards [9, 10, 11 and 12] 11, 12, 13, and 25. Subdistrict
33 6 shall be comprised of wards [13, 14, 16 and 25] 16, 23, 24, and 28. Subdistrict 7 shall be
34 comprised of wards 8, [15, 23 and 24] 10, 14, and 15. **In the event the aggregate number of**
35 **wards in the district shall be either increased or decreased in total number, or if the wards**
36 **in one or more subdistricts are no longer contiguous upon reapportionment or redistricting**
37 **of the wards by the city after each decennial census, the subdistricts shall, after notice and**
38 **a public hearing, be redistricted by the state board of education, within six months after**
39 **the wards are no longer contiguous or are increased or decreased in total number. The**
40 **subdistricts established by the state board of education shall be compact, contiguous, as**
41 **nearly equal in population as possible, and shall not cross ward lines unless the total**
42 **number of wards may not be evenly divided by seven.**

43 162.611. Any member failing to attend the meetings of the board for three consecutive
44 regular meetings, unless excused by the board for reasons satisfactory to the board, shall be
45 deemed to have vacated [his] the seat; and the secretary of the board shall certify that fact to the
46 mayor. The secretary shall likewise certify to the mayor any other vacancy occurring in the
47 board. Any vacancy shall be filled by the mayor by appointment of a qualified resident of the
48 subdistrict for the remainder of the term.