

SECOND REGULAR SESSION

HOUSE BILL NO. 1087

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BOYKINS.

Read 1st time January 14, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3794L.011

AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to recall elections for school board members.

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.670, to read as follows:

160.670. 1. In addition to the recall procedures provided in section 160.538, a school board member in any school district may be removed by the voters in a recall election. Such election shall be held upon the submission of a petition signed by voters of the district equal in number to at least twenty-five percent of the number of persons voting at the last preceding election to elect a district board member. The petition shall be filed with the election authority and the secretary of the district board of education, and the petition shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall add to his or her signature his or her place of residence, giving the street and number. One of the signers of each paper shall make oath before an officer competent to administer oaths that the statements made on the paper are true as he or she believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

2. Within thirty days from the date of the filing the petition, the election authority shall examine and ascertain whether the petition is signed by the requisite number of voters. The election authority shall attach to the petition his or her certificate, showing the result of the examination. If the petition is shown to be insufficient, it may be amended within ten days from the date of such certificate. The election authority shall, within ten

19 days after such amendment, make like examination of the amended petition and, if his or
20 her certificate shall show the amended petition to be insufficient, it shall be returned to the
21 person filing the amended petition, without prejudice to the filing of a new petition to the
22 same effect. If the petition shall be deemed to be sufficient, the election authority shall
23 submit the petition to the district board without delay. If the petition shall be found to be
24 sufficient, the district board shall order the question to be submitted to the voters of the
25 district.

26 3. If a majority of the voters vote in favor of retaining the member, the member
27 shall remain in office and shall not be subject to another recall election during his or her
28 term of office, except as provided in subsection 2 of section 160.538. If a majority of voters
29 vote to remove the member, his or her successor shall be chosen as provided in section
30 162.261, RSMo.