

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 42, Page 3, Section 160.011, Line 52, by
2 inserting immediately after all of said line the following:

3
4 "160.671. 1. A school board member of any urban school district located in a home rule city
5 with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants may be
6 removed by the voters in a recall election. Such election shall be held upon the submission of a
7 petition signed by voters of the district equal in number to at least ten percent of the number of
8 persons voting at the last preceding election to elect a district board member. The petition shall be
9 filed with the election authority and the secretary of the district board of education, and the petition
10 shall contain a general statement of the grounds for which the removal is sought. The signatures to
11 the petition need not all be appended to one paper, but each signer shall provide the street and
12 number of his or her residence. The person who files the petition with the election authority shall
13 sign an affidavit that the signatures attached are true and correct to the best of his or her knowledge.

14 2. Within thirty days from the date of filing the petition, the election authority shall examine
15 and ascertain whether the petition is signed by the requisite number of voters. The election authority
16 shall attach to the petition his or her certificate, showing the result of the examination. If the election
17 authority finds the petition to be insufficient, the petition shall be returned to the person filing the
18 petition, without prejudice to the filing of a new petition to the same effect. If the election authority
19 finds the petition to be sufficient, the election authority shall submit the petition to the district board
20 without delay. If the election authority finds the petition to be sufficient, the district board shall
21 order the question to be submitted to the voters of the district on election days specified in section
22 115.123. The election shall be held not less than forty-five days but not more than one hundred
23 twenty days from the date the board receives the petition.

24 3. If a majority of the voters vote in favor of retaining the member, the member shall remain
25 in office and shall not be subject to another recall election during his or her term of office. If a
26 majority of voters vote to remove the member, his or her successor shall be chosen as provided in
27 section 162.471 for urban school districts."; and

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29 Further amend said bill, Page 8, Section 162.081, Line 120, by inserting immediately after all of said
30 line the following:

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32 "162.471. 1. The government and control of an urban school district is vested in a board of
33 seven directors. Each director shall be a voter of the district who has resided within this state for one
34 year next preceding his election or appointment and who is at least twenty-four years of age. All
35 directors, except as otherwise provided in section 162.481 and section 162.492, hold their offices for
36 six years and until their successors are duly elected and qualified. All vacancies occurring in the

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board, except as provided in section 162.492 and in subsection 2 of this section, shall be filled by appointment by the board as soon as practicable, and the person appointed shall hold his or her office until the next school board election, when his or her successor shall be elected for the remainder of the unexpired term. The power of the board to perform any official duty during the existence of a vacancy continues unimpaired thereby.

2. All vacancies occurring in the school board of any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants shall be filled by appointment by the county commission of a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat. The person appointed by the county commission shall hold office until the next school board election, when his or her successor shall be elected for the remainder of the unexpired term.

162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. Except as otherwise provided in subsections 4 and 5 of this section, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 of this section which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

1 5. In any school district in any county with a charter form of government and with more than
2 three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an
3 urban school district by reason of the 2010 federal decennial census, elections shall be held annually
4 at the same times and places as general municipal elections for all years where one or more terms
5 expire, and the terms shall be for three years and until their successors are duly elected and qualified
6 for all directors elected on and after April 2, 2012.

7 6. In any urban school district in a county of the first classification with more than
8 eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with
9 more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat,
10 elections shall be held annually at the same times and places as general municipal elections for all
11 years where one or more terms expire, and upon expiration of any term after August 28, 2015, the
12 term of office shall be for four years and until their successors are duly elected and qualified.

13 162.491. 1. Directors for urban school districts, other than those districts containing the
14 greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition
15 to be filed with the secretary of the board and signed by a number of voters in the district equal to ten
16 percent of the total number of votes cast for the director receiving the highest number of votes cast at
17 the next preceding biennial election, except as provided in subsection 4 of this section.

18 2. This section shall not be construed as providing the sole method of nominating candidates
19 for the office of school director in urban districts which do not contain the greater part of a city of
20 over three hundred thousand inhabitants.

21 3. A director for any urban school district containing a city of greater than one hundred thirty
22 thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an
23 independent candidate by filing with the secretary of the board a petition signed by five hundred
24 registered voters of such school district.

25 4. In any urban school district located in a home rule city with more than seventy-one
26 thousand but fewer than seventy-nine thousand inhabitants, a candidate for director shall file a
27 declaration of candidacy with the secretary of the board and shall not be required to submit a
28 petition."; and

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30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.
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