

FIRST REGULAR SESSION

HOUSE BILL NO. 442

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRAY.

0802H.011

D. ADAM CRUMBLISS, Chief Clerk

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 that is located within or that adjoins a school district that 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 nine hundred fifty thousand inhabitants, the board of election commissioners of such county shall establish seven subdistricts for the purpose of electing directors of such districts.

2. (1) The subdistrict boundaries shall be drawn by the commissioners within sixty days after August 28, 2017, 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 under 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.

(2) The commissioners shall apportion the subdistricts by dividing the population, determined by the preceding decennial census, of the district by the number of directors

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

18 and shall establish each subdistrict so that the population of that subdistrict shall, as nearly
19 as possible, equal that figure or be within one percent thereof. Each subdistrict shall be
20 composed of contiguous territory as compact as may be.

21 3. All board members elected or appointed in any such district shall be elected or
22 appointed to represent one of the subdistricts, beginning with the first general municipal
23 election or vacancy occurring after August 28, 2017. Each member shall reside for one
24 year prior to the date of his or her election in the subdistrict from which he or she is elected
25 or, in the case of a vacancy, the subdistrict from which he or she is appointed, and shall
26 forfeit his or her office if he or she removes his or her residence from the subdistrict. Such
27 vacancy may be declared and the office filled by the remaining members of the board as
28 provided by law.

29 4. Elected members of the board in office on August 28, 2017, shall hold office for
30 the length of term for which they were elected, and until their successors are elected and
31 qualified, and any members appointed to fill vacancies in office occurring after August 28,
32 2017, shall serve until the next general municipal election, at which time a successor shall
33 be elected to serve for the remainder of the term to which the replaced member was
34 elected.

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

45 6. At the first general municipal election to occur after August 28, 2017, the
46 elections for the seats of any expiring terms or appointed terms, as provided herein, of at-
47 large board members shall be filled by persons elected from the lowest-numbered
48 subdistricts, as those subdistricts are created and numbered by the board of election
49 commissioners. The second such general municipal election shall be for the lowest-
50 numbered subdistricts not filled at the prior election, and the third such election shall be
51 for the remaining subdistricts not filled at the prior two elections.

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

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