

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 71, Page 1, Section A, Line 4, by inserting after all of said section and line the  
3 following:  
4

5 "162.091. 1. As used in this section, the term "public official" means any:

6 (1) County clerk[<sup>5</sup>];

7 (2) County treasurer[<sup>5</sup>];

8 (3) School board member, officer,<sup>2</sup> or employee[<sup>5</sup>]; or

9 (4) Other officer[<sup>5</sup>].

10 2. Any public official who willfully neglects or refuses to perform any duty imposed upon  
11 [him] such public official by chapters 160 to 168[<sup>5</sup>] or chapter 170, 171, 177 [~~and~~], or 178, or who  
12 willfully violates any provision of [~~these~~] such chapters, is guilty of a misdemeanor and on  
13 conviction shall be punished by a fine of not more than five hundred dollars or by imprisonment in  
14 the county jail not to exceed one year.

15 3. Any person aggrieved by the willful neglect or refusal of a public official to perform any  
16 duty imposed upon such public official by chapters 160 to 168 or chapter 170, 171, 177, or 178 shall  
17 have a civil claim for damages against such public official for:

18 (1) Injunctive relief;

19 (2) Compensatory damages;

20 (3) Punitive damages;

21 (4) Costs of litigation including, but not limited to, expert witness fees; and

22 (5) Reasonable attorney's fees for the prosecution of the action.

23 4. Neither sovereign immunity nor official immunity shall be a defense in any such civil  
24 action.

25 168.212. 1. No individual employed by a school board to exercise supervisory duties within  
26 the school district shall, in the course of such individual's employment upon the termination of  
27 employment by the school board, perform any duties related to any contract such individual  
28 facilitated, negotiated, or approved in the individual's official capacity while employed by the school  
29 district.

30 2. Notwithstanding any other provision of law to the contrary, no school district shall  
31 automatically renew any administrator contract including, but not limited to, employment contracts,

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 without taking a definite action to renew the contract, and no school district shall act to renew a  
2 contract earlier than three months prior to the expiration of the contract. Each contract shall be  
3 renewed independently, and the renewal of one contract shall not guarantee, obligate, or affect the  
4 renewal of any subsequent or contingent contract including, but not limited to, instances in which a  
5 school district has multiple contracts with one entity. Any contract renewed in violation of this  
6 subsection shall be null and void."; and

7  
8 Further amend said bill by amending the title, enacting clause, and intersectional references  
9 accordingly.