

FIRST REGULAR SESSION

HOUSE BILL NO. 253

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FISHEL.

0794H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to an urban school board election process.

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

Section A. Section 162.481, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.481, to read as follows:

162.481. 1. Except as otherwise provided in this section and in section 162.492, all elections of school directors in urban school districts shall be held biennially at the same times and places as municipal elections.

2. Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a seven-director district becomes an urban school district, the directors of the prior seven-director district shall continue as directors of the urban school 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 school district at the time provided in subsection 1 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 school 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 school 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,

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 two shall be elected for terms of six years and two shall be elected for terms of two years. After
19 seven directors of the urban school district have been elected under this subsection, their
20 successors shall be elected for terms of six years.

21 3. **(1)** In any school district in which a majority of the district is located in any home rule
22 city with more than one hundred fifty-five thousand but fewer than two hundred thousand
23 inhabitants, elections shall be held annually at the same times and places as general municipal
24 elections for all years where one or more terms expire, and the terms shall be for three years and
25 until their successors are duly elected and qualified for all directors elected on and after August
26 28, 1998, **except as provided in subdivision (2) of this subsection.**

27 **(2) In any school district described in subdivision (1) of this subsection, all school**
28 **board members elected on or after April 4, 2023, shall be elected as provided in this**
29 **subdivision.**

30 **(a) There shall be two at-large districts and five subdistricts. The at-large districts**
31 **shall represent the entire school district. Before December 1, 2022, the election authority**
32 **of the county in which the school district is located shall divide the school district into five**
33 **subdistricts. The five subdistricts shall be of contiguous and compact territory and as**
34 **nearly equal in population as practicable. Within six months after each decennial census**
35 **is reported to the President of the United States, the election authority shall reapportion**
36 **the subdistricts to be as nearly equal in population as practicable. The at-large districts**
37 **and subdistricts shall be numbered from one upward consecutively and as much as**
38 **practicable the numbers shall be retained upon reapportionment.**

39 **(b) a. On the first day available for candidate filing after the at-large districts and**
40 **subdistricts are created under this subdivision, any qualified resident may file as a**
41 **candidate for election to the school board. Members serving on the existing board may**
42 **also file as a candidate for the at-large district or subdistrict in which the member resides.**
43 **No candidate's name shall be printed on the ballot unless the candidate has, at least sixty**
44 **days before the election, filed a declaration of candidacy with the election authority**
45 **containing, for an at-large candidate, the signatures of at least two hundred registered**
46 **voters who are residents of the school district and for a subdistrict candidate the signatures**
47 **of at least one hundred registered voters who are residents of that subdistrict. The election**
48 **authority shall determine the validity of all signatures on declarations of candidacy.**

49 **b. The election authority shall determine, by random drawing, the order in which**
50 **such candidates' names appear on the ballot. The drawing shall be conducted so that each**
51 **candidate may draw a number at random at the time of filing.**

52 (c) On the general municipal election day in 2023 and each year thereafter, the
53 expired school board positions shall be filled in the following order: subdistrict seat 1, 3,
54 5, 2, and 4 first, and the at-large seats last until all seats have been filled.

55 (d) Each member shall serve until a successor is elected or the member vacates the
56 office. Any vacancy that occurs more than six months before the election for filling the new
57 at-large board positions or subdistrict board positions shall be filled by the remaining
58 members of the board, who shall select a qualified person from a list of qualified residents
59 of the school district or subdistrict. Any vacancy that occurs with fewer than six months
60 remaining in the unexpired term shall remain vacant until the next general municipal
61 election day.

62 (e) Each member shall be a resident of the school district for the two years
63 immediately preceding the member's election, and shall be a resident of the at-large district
64 or subdistrict for the year immediately preceding the member's election.

65 (f) Except for the board members initially elected under this subdivision, no person
66 shall be elected to the board for more than nine consecutive years.

67 4. For any school district which becomes an urban school district by reason of the 2000
68 federal decennial census, elections shall be held annually at the same times and places as general
69 municipal elections for all years where one or more terms expire, and the terms shall be for three
70 years and until their successors are duly elected and qualified for all directors elected on and after
71 August 28, 2001.

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

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

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