

HCS HB 229 -- SCHOOL BOARD MEMBER RECALL

SPONSOR: Basye

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 11 to 6. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 6 to 2.

The following is a summary of the House Committee Substitute for HB 229.

This bill establishes a recall procedure for school board members.

Members may not be recalled during the first 90 days or last 180 days of their term. The recall petition requirements are outlined in the bill and include grounds for which a recall may be called which include but are not limited to: conduct that adversely affects the rights and interests of the public; commission of an act of malfeasance; and moral turpitude.

The notice for recall is required to be sent to the Board member's school district and the Board member may file a statement in response to the recall notice of intention. Procedures for the circulation of a petition for recall, the certification of the petition, and the date and manner for the recall ballot language and election are outlined in the bill.

The bill specifies the rights and steps available to the Board member who is the subject of recall.

This bill is the same as HB 2360 (2020).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this is a statewide concern and that the bill has a high standard for when a recall may take place.

Testifying for the bill were Representative Basye

OPPONENTS: Those who oppose the bill say that these board members are volunteers and that they often make decisions that might upset people. The short time frame that a member is in office before a recall might occur, could be more reflective of a disgruntled losing candidate than a reflection of the current board member.

Testifying against the bill were the Missouri Association of School

Administrator and the Missouri School Board Association.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.