

HCS HB 323 -- POLITICAL SUBDIVISION

SPONSOR: Hill

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Downsizing State Government by a vote of 10 to 4. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 8 to 4.

The following is a summary of the House Committee Substitute for HB 323.

This bill defines a "public official" as any county clerk; county treasurer; school board member, officer or employee; or other officer.

The bill specifies that an individual aggrieved by the willful neglect or refusal of a public official to perform his or her duties has a civil claim for damages against such public official for:

- (1) Injunctive relief;
- (2) Compensatory damages;
- (3) Punitive damages; and
- (4) Costs of litigation and reasonable attorney's fees.

This bill prohibits the renewal of contracts for school administrators earlier than three months prior to the expiration of any existing contract. The renewal of one contract shall not automatically entail agreement to a new contract. Definite action such as a vote shall be required to renew a contract and violations of the bill shall render contracts void and of no effect.

The bill prohibits any individual employed by a school board to exercise supervisory duties within the school district, in the course of such individual's employment upon the termination of employment by the school board, perform any duties related to any contract that individual facilitated, negotiated, or approved in the individual's official capacity while employed by the school district.

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 there is an issue where school

administrators are receiving rolling contracts due to boards renewing their contracts a year in advance. Some school administrators are not properly representing the best interest of their districts but there is nothing the board can do since their contract has been renewed so far in advance. The bill will rectify this situation and will cut down on corruption.

Testifying for the bill were Representative Hill; and Arnie Dienoff.

OPPONENTS: Those who oppose the bill say that school boards vote to renew contracts so the people can hold the school board accountable if they do not approve of the board renewing contracts early.

Testifying against the bill were Missouri National Education Association; Missouri Association Of School Administrators; and American Federation Of Teachers - Missouri.

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.