

HCS SB 86 -- POLITICAL INFLUENCE IN SCHOOL DISTRICTS

SPONSOR: Hegeman (Baker)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 12 to 6. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 9 to 2.

The following is a summary of the House Committee Substitute for SB 86.

This bill prohibits the contribution or expenditure of public funds by any school district or by any officer, employee, or agent of any school district:

- (1) To support or oppose the nomination or election of any candidate for public office;
- (2) To support or oppose the passage or defeat of any ballot measure;
- (3) To any committee supporting or opposing candidates or ballot measures; or
- (4) To pay debts or obligations of any candidate or committee previously incurred for the above purposes.

The bill additionally prohibits the contribution or expenditure of public funds by any officer, employee, or agent of any political subdivision to pay debts or obligations of any candidate or committee previously incurred for the purposes described above. Any purposeful violation of this bill is punishable as a class four election offense (Section 115.646, RSMo)

The bill allows registered voters to file a petition with the school board to add specified agenda items to any monthly school board meeting. The petition must be signed by at least 5% of the school district's registered voters that voted in the last school board election. The requirements for the petition language is specified in the bill and the school district must verify the petition requirements with the local election authority. A petition request for the same item may not be submitted more than once every six months. Any agenda item added in this manner, shall be added to the board agenda for the next meeting, taken up by the board following all relevant board policies, and voted on by the board within three meetings (Section 162.052) .

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 (Section 162.089).

This bill is similar to HB 229 and HB 320 (2021).

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 bill will prevent public funds from supporting campaigns or issues of a political nature.

Testifying for the bill was Senator Hegeman

OPPONENTS: There was no opposition voiced to the committee.

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.