

SECOND REGULAR SESSION

HOUSE BILL NO. 2648

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRAGG.

5450H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 143.183, 181.060, 182.050, 182.170, 182.291, 182.640, and 182.707, RSMo, and to enact in lieu thereof eight new sections relating to public library districts.

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

Section A. Sections 143.183, 181.060, 182.050, 182.170, 182.291, 182.640, and
2 182.707, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as
3 sections 143.183, 181.060, 182.050, 182.170, 182.291, 182.640, 182.707, and 182.820, to
4 read as follows:

143.183. 1. As used in this section, the following terms mean:

2 (1) "Nonresident entertainer", a person residing or registered as a corporation outside
3 this state who, for compensation, performs any vocal, instrumental, musical, comedy,
4 dramatic, dance or other performance in this state before a live audience and any other person
5 traveling with and performing services on behalf of a nonresident entertainer, including a
6 nonresident entertainer who is paid compensation for providing entertainment as an
7 independent contractor, a partnership that is paid compensation for entertainment provided by
8 nonresident entertainers, a corporation that is paid compensation for entertainment provided
9 by nonresident entertainers, or any other entity that is paid compensation for entertainment
10 provided by nonresident entertainers;

11 (2) "Nonresident member of a professional athletic team", a professional athletic team
12 member who resides outside this state, including any active player, any player on the disabled
13 list if such player is in uniform on the day of the game at the site of the game, and any other
14 person traveling with and performing services on behalf of a professional athletic team;

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.

15 (3) "Personal service income" includes exhibition and regular season salaries and
16 wages, guaranteed payments, strike benefits, deferred payments, severance pay, bonuses, and
17 any other type of compensation paid to the nonresident entertainer or nonresident member of
18 a professional athletic team, but does not include prizes, bonuses or incentive money received
19 from competition in a livestock, equine or rodeo performance, exhibition or show;

20 (4) "Professional athletic team" includes, but is not limited to, any professional
21 baseball, basketball, football, soccer and hockey team.

22 2. Any person, venue, or entity who pays compensation to a nonresident entertainer
23 shall deduct and withhold from such compensation as a prepayment of tax an amount equal to
24 two percent of the total compensation if the amount of compensation is in excess of three
25 hundred dollars paid to the nonresident entertainer. For purposes of this section, the term
26 "person, venue, or entity who pays compensation" shall not be construed to include any
27 person, venue, or entity that is exempt from taxation under 26 U.S.C. Section 501(c)(3), as
28 amended, and that pays an amount to the nonresident entertainer for the entertainer's
29 appearance but receives no benefit from the entertainer's appearance other than the
30 entertainer's performance.

31 3. Any person, venue, or entity required to deduct and withhold tax pursuant to
32 subsection 2 of this section shall, for each calendar quarter, on or before the last day of the
33 month following the close of such calendar quarter, remit the taxes withheld in such form or
34 return as prescribed by the director of revenue and pay over to the director of revenue or to a
35 depository designated by the director of revenue the taxes so required to be deducted and
36 withheld.

37 4. Any person, venue, or entity subject to this section shall be considered an employer
38 for purposes of section 143.191, and shall be subject to all penalties, interest, and additions to
39 tax provided in this chapter for failure to comply with this section.

40 5. Notwithstanding other provisions of this chapter to the contrary, the commissioner
41 of administration, for all taxable years beginning on or after January 1, 1999, but none after
42 December 31, 2030, shall annually estimate the amount of state income tax revenues
43 collected pursuant to this chapter which are received from nonresident members of
44 professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each
45 subsequent fiscal year for a period of thirty-one years, sixty percent of the annual estimate of
46 taxes generated from the nonresident entertainer and professional athletic team income tax
47 shall be allocated annually to the Missouri arts council trust fund, and shall be transferred,
48 subject to appropriations, from the general revenue fund to the Missouri arts council trust
49 fund established in section 185.100 and any amount transferred shall be in addition to such
50 agency's budget base for each fiscal year. The director shall by rule establish the method of

51 determining the portion of personal service income of such persons that is allocable to
52 Missouri.

53 6. Notwithstanding the provisions of sections 186.050 to 186.067 to the contrary, the
54 commissioner of administration, for all taxable years beginning on or after January 1, 1999,
55 but for none after December 31, 2030, shall estimate annually the amount of state income tax
56 revenues collected pursuant to this chapter which are received from nonresident members of
57 professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each
58 subsequent fiscal year for a period of thirty-one years, ten percent of the annual estimate of
59 taxes generated from the nonresident entertainer and professional athletic team income tax
60 shall be allocated annually to the Missouri humanities council trust fund, and shall be
61 transferred, subject to appropriations, from the general revenue fund to the Missouri
62 humanities council trust fund established in section 186.055 and any amount transferred shall
63 be in addition to such agency's budget base for each fiscal year.

64 7. Notwithstanding other provisions of section 182.812 to the contrary, the
65 commissioner of administration, for all taxable years beginning on or after January 1, 1999,
66 but for none after December 31, 2030, shall estimate annually the amount of state income tax
67 revenues collected pursuant to this chapter which are received from nonresident members of
68 professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each
69 subsequent fiscal year for a period of thirty-one years, ten percent of the annual estimate of
70 taxes generated from the nonresident entertainer and professional athletic team income tax
71 shall be allocated annually to the Missouri state library networking fund, and shall be
72 transferred, subject to appropriations, from the general revenue fund to the secretary of state
73 for distribution to public libraries for acquisition of library materials **and maintenance and**
74 **repair of library facilities** as established in section 182.812 and any amount transferred shall
75 be in addition to such agency's budget base for each fiscal year.

76 8. Notwithstanding other provisions of section 185.200 to the contrary, the
77 commissioner of administration, for all taxable years beginning on or after January 1, 1999,
78 but for none after December 31, 2030, shall estimate annually the amount of state income tax
79 revenues collected pursuant to this chapter which are received from nonresident members of
80 professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each
81 subsequent fiscal year for a period of thirty-one years, ten percent of the annual estimate of
82 taxes generated from the nonresident entertainer and professional athletic team income tax
83 shall be allocated annually to the Missouri public television broadcasting corporation special
84 fund, and shall be transferred, subject to appropriations, from the general revenue fund to the
85 Missouri public television broadcasting corporation special fund, and any amount transferred
86 shall be in addition to such agency's budget base for each fiscal year; provided, however, that
87 twenty-five percent of such allocation shall be used for grants to public radio stations which

88 were qualified by the corporation for public broadcasting as of November 1, 1996. Such
89 grants shall be distributed to each of such public radio stations in this state after receipt of the
90 station's certification of operating and programming expenses for the prior fiscal year.
91 Certification shall consist of the most recent fiscal year financial statement submitted by a
92 station to the corporation for public broadcasting. The grants shall be divided into two
93 categories, an annual basic service grant and an operating grant. The basic service grant shall
94 be equal to thirty-five percent of the total amount and shall be divided equally among the
95 public radio stations receiving grants. The remaining amount shall be distributed as an
96 operating grant to the stations on the basis of the proportion that the total operating expenses
97 of the individual station in the prior fiscal year bears to the aggregate total of operating
98 expenses for the same fiscal year for all Missouri public radio stations which are receiving
99 grants.

100 9. Notwithstanding other provisions of section 253.402 to the contrary, the
101 commissioner of administration, for all taxable years beginning on or after January 1, 1999,
102 but for none after December 31, 2030, shall estimate annually the amount of state income tax
103 revenues collected pursuant to this chapter which are received from nonresident members of
104 professional athletic teams and nonresident entertainers. For fiscal year 2000, and for each
105 subsequent fiscal year for a period of thirty-one years, ten percent of the annual estimate of
106 taxes generated from the nonresident entertainer and professional athletic team income tax
107 shall be allocated annually to the Missouri department of natural resources Missouri historic
108 preservation revolving fund, and shall be transferred, subject to appropriations, from the
109 general revenue fund to the Missouri department of natural resources Missouri historic
110 preservation revolving fund established in section 253.402 and any amount transferred shall
111 be in addition to such agency's budget base for each fiscal year.

112 10. This section shall not be construed to apply to any person who makes a
113 presentation for professional or technical education purposes or to apply to any presentation
114 that is part of a seminar, conference, convention, school, or similar program format designed
115 to provide professional or technical education.

181.060. 1. The general assembly may appropriate moneys for state aid to public
2 libraries, which moneys shall be administered by the state librarian, and distributed as
3 specified in rules and regulations promulgated by the Missouri state library, and approved by
4 the secretary of state.

5 2. At least fifty percent of the moneys appropriated for state aid to public libraries
6 shall be apportioned to all public libraries established and maintained under the provisions of
7 the library laws or other laws of the state relating to libraries. The allocation of the moneys
8 shall be based on an equal per capita rate for the population of each city, village, town,
9 township, urban public library district, county or consolidated library district in which any

10 library is or may be established, in proportion to the population according to the latest federal
11 census of the cities, villages, towns, townships, school districts, county or regional library
12 districts maintaining public libraries primarily supported by public funds which are designed
13 to serve the general public. No grant shall be made to any public library which is tax
14 supported if the rate of tax levied or the appropriation for the library should be decreased
15 below the rate in force on December 31, 1946, or on the date of its establishment. Grants
16 shall be made to any public library if a public library tax of at least ten cents per one hundred
17 dollars assessed valuation has been voted in accordance with sections 182.010 to 182.460 or
18 as authorized in section 137.030 and is duly assessed and levied for the year preceding that in
19 which the grant is made, or if the appropriation for the public library in any city of first class
20 yields one dollar or more per capita for the previous year according to the population of the
21 latest federal census or if the amount provided by the city for the public library, in any other
22 city in which the library is not supported by a library tax, is at least equal to the amount of
23 revenue which would be realized by a tax of ten cents per one hundred dollars assessed
24 valuation if the library had been tax supported. Except that, no grant under this section shall
25 be affected because of a reduction in the rate of levy which is required by the provisions of
26 section 137.073 or because of a voluntary reduction in the levy following the enactment of a
27 district sales tax under section 182.802, if the proceeds from the sales tax equal or exceed the
28 reduction in revenue from the levy.

29 3. The librarian of the library together with the treasurer of the library or the treasurer
30 of the city if there is no library treasurer shall certify to the state librarian the annual tax
31 income and rate of tax or the appropriation for the library on the date of the enactment of this
32 law, and of the current year, and each year thereafter, and the state librarian shall certify to the
33 commissioner of administration the amount to be paid to each library.

34 4. The balance of the moneys shall be administered and supervised by the state
35 librarian who may provide grants to public libraries for:

36 (1) Establishment, on a population basis to newly established city, county city/county
37 or consolidated libraries;

38 (2) Equalization to city/county, urban public, county or consolidated libraries;

39 (3) Reciprocal borrowing;

40 (4) Technological development;

41 (5) Interlibrary cooperation;

42 (6) Literacy programs; ~~and~~

43 (7) **Costs of maintenance and repair of library facilities; and**

44 (8) Other library projects or programs that may be determined by the local library,
45 library advisory committee and the state library staff that would improve access to library
46 services by the residents of this state. Newly established libraries shall certify through the

47 legally established board or the governing body of the city supporting the library and the
48 librarian of the library to the state librarian the fact of establishment, the rate of tax, the
49 assessed valuation of the library district and the annual tax yield of the library. The state
50 librarian shall then certify to the commissioner of administration the amount of establishment
51 grant to be paid to the libraries and warrants shall be issued for the amount allocated and
52 approved. The sum appropriated for state aid to public libraries shall be separate and apart
53 from any and all appropriations made to the state library.

182.050. 1. For the purpose of carrying into effect sections 182.010 to 182.120, in
2 case a county library district is established and a free county library authorized as provided in
3 section 182.010, within sixty days after the establishment of the county library district, there
4 shall be created a county library board of trustees, of five members, who shall be residents of
5 the library district, none of whom shall be elected county officials.

6 **2. (1) For districts established under sections 182.010 to 182.120 that have an**
7 **assessed valuation of three hundred fifty million dollars or less:**

8 (a) The members shall be elected as provided in paragraphs (b) to (g) of this
9 subdivision or appointed by the county commission for terms of four years each, except that
10 as to the members of the first board, two shall be appointed for one year, and one each shall be
11 appointed for two years, three years, and four years, respectively, from the first day of July
12 following their appointment; and annually thereafter before the first day of July the county
13 commission shall appoint successors[-];

14 (b) a. **If the county commission adopts an order or ordinance or receives a**
15 **petition, signed by at least five percent of the number of registered voters of the library**
16 **district voting in the last gubernatorial election, calling for the county commission to**
17 **establish an elected library district board, the county commission shall, within thirty**
18 **days of the adoption of the order or ordinance or the receipt of the petition, notify the**
19 **election authority of the county in which the library district is located.**

20 b. Upon receiving such notification, the election authority shall submit the
21 question of whether to establish an elected library district board as provided by the
22 order or ordinance or the petition to the voters of the library district on the next
23 available general municipal election day.

24 c. The question submitted shall be in substantially the following form: "Shall
25 the _____ (insert name) County Library District change from an appointed board to an
26 elected board?".

27 d. If a majority of the registered voters of the library district voting on the
28 question approve the establishment of an elected library district board, the county
29 commission shall develop a final plan for the establishment of an elected library district
30 board. If a majority of the registered voters of the library district voting on the question

31 reject the establishment of an elected library district board, no elected library district
32 board shall be established;

33 (c) Within ninety days after the approval of the establishment of an elected
34 library district board, the county commission shall submit the final plan to the election
35 authority of the county and immediately publish the final plan on the county
36 commission's website and by any other method allowed by law. The final plan shall
37 contain at least the following information:

38 a. A summary of the final plan for establishing the elected library district board;

39 b. A statement indicating whether the library district will be divided into
40 subdistricts, at-large districts, or a combination of subdistricts and at-large districts and
41 how many of each;

42 c. A description of the areas of the library district each newly elected library
43 district board member will represent, with each subdistrict and at-large district
44 represented by a number;

45 d. The date of the election of each new library district board member as
46 provided in the final plan; and

47 e. Any other information deemed necessary by the county commission;

48 (d) a. On the first day available for candidate filing for the first general
49 municipal election occurring after the final plan for the establishment of the elected
50 library district board is submitted to the election authority, any qualified resident who
51 has or will have resided in a subdistrict or at-large district for the year immediately
52 preceding the general municipal election day and who meets all other applicable
53 qualifications for the county library district board established under sections 182.010 to
54 182.120 may file as a candidate for election to the library district board as a member
55 representing such subdistrict or at-large district.

56 b. At the end of the time available for candidate filing, if no qualified resident of
57 a subdistrict has filed as a candidate in that subdistrict, the election authority shall
58 extend the time for candidate filing by seven additional days, and any qualified resident
59 of the library district who has or will have resided in the library district for the year
60 immediately preceding the general municipal election day and who meets all other
61 applicable qualifications for the county library district board established under sections
62 182.010 to 182.120 may file as a candidate for election to the library district board as a
63 member representing that subdistrict.

64 c. No library district shall require a candidate to submit a petition signed by the
65 registered voters of the library district as a method of filing a declaration of candidacy.
66 The election authority shall determine the validity of all declarations of candidacy;

67 (e) When the election is held on the general municipal election day, the
68 candidates, one from each of the subdistricts or at-large districts, who receive a plurality
69 of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is
70 not a subdistrict resident but qualifies as a candidate as a library district resident as
71 provided in subparagraph b. of paragraph (d) of this subdivision shall be elected by the
72 voters of the library district. Each member shall be elected to a term as provided in the
73 final plan for the establishment of the elected library district board;

74 (f) Each member shall serve until a successor is elected or the member vacates
75 the office; and

76 (g) Except for a member who is not a subdistrict resident but is elected as a
77 library district resident to represent a subdistrict as provided in subparagraph b. of
78 paragraph (d) of this subdivision, each member shall reside in the subdistrict the
79 member represents during the member's term.

80 (2) For districts established under sections 182.010 to 182.120 that have an
81 assessed valuation of more than three hundred fifty million dollars, members shall be
82 elected as follows:

83 (a) A library district required to elect library district board members under this
84 subdivision shall follow all applicable provisions of state law governing elections in
85 chapter 115;

86 (b) The election for the library district board and each candidate for library
87 district board membership shall be nonpartisan;

88 (c) The first election for elected library district board members shall occur on
89 the general municipal election day in April of 2025. Subsequent elections for library
90 district board members shall occur only on the general municipal election day; and

91 (d) Members elected under this subdivision shall serve a four-year term, except
92 that the initial members elected under this subdivision shall serve staggered terms as
93 determined by the county commission as follows:

94 a. Two members shall serve an initial term of one year;

95 b. One member shall serve an initial term of two years;

96 c. One member shall serve an initial term of three years; and

97 d. One member shall serve a term of four years.

98 3. Vacancies in the board occasioned by removals, resignations or otherwise shall be
99 reported to the county commission and shall be filled in like manner as original appointments;
100 except that if the vacancy is in an unexpired term, the appointment shall be made for only the
101 unexpired portion of that term. No member of the board shall receive compensation as such.
102 No person shall be employed by the board of library trustees or by the librarian who is related
103 within the third degree by blood or by marriage to any trustee of the board.

182.170. 1. When any city establishes and maintains a public library under sections 2 182.140 to 182.301 **and the city served by such public library has an assessed valuation** 3 **of two hundred fifty million dollars or less**, the mayor or other proper official of the city, 4 with the approval of the legislative branch of the city government, shall proceed to appoint a 5 library board of nine trustees, chosen from the citizens at large, with reference to their fitness 6 for the office, **or such trustees shall be elected as provided in subsection 2 of this section.**

7 2. (1) (a) **If the governing body of the city adopts an order or ordinance or** 8 **receives a petition, signed by at least five percent of the number of registered voters of** 9 **the city voting in the last gubernatorial election, calling for the governing body to** 10 **establish an elected library board of trustees, the governing body shall, within thirty** 11 **days of the adoption of the order or ordinance or the receipt of the petition, notify the** 12 **election authority with jurisdiction over the city.**

13 (b) **Upon receiving such notification, the election authority shall submit the** 14 **question of whether to establish an elected library board of trustees as provided by the** 15 **order or ordinance or the petition to the voters of the city on the next available general** 16 **municipal election day.**

17 (c) **The question submitted shall be in substantially the following form: "Shall** 18 **the _____ (insert city name) Public Library Board of Trustees change from an** 19 **appointed board to an elected board?"**.

20 (d) **If a majority of the registered voters of the city voting on the question** 21 **approve the establishment of an elected library board of trustees, the governing body of** 22 **the city shall develop a final plan for the establishment of an elected library board of** 23 **trustees. If a majority of the registered voters of the city voting on the question reject** 24 **the establishment of an elected library board of trustees, no elected library board of** 25 **trustees shall be established.**

26 (2) **Within ninety days after the approval of the establishment of an elected** 27 **library board of trustees, the governing body of the city shall submit the final plan to the** 28 **election authority with jurisdiction over the city and immediately publish the final plan** 29 **on the city's website and by any other method allowed by law. The final plan shall** 30 **contain at least the following information:**

31 (a) **A summary of the final plan for establishing the elected library board of** 32 **trustees;**

33 (b) **A statement indicating whether the city served by the library will, for library** 34 **board of trustee purposes, be divided into subdistricts, at-large districts, or a** 35 **combination of subdistricts and at-large districts and how many of each;**

36 (c) **A description of the areas of the city each newly elected library board trustee** 37 **will represent, with each subdistrict and at-large district represented by a number;**

38 **(d) The date of the election of each new library board trustee as provided in the**
39 **final plan; and**

40 **(e) Any other information deemed necessary by the governing body of the city.**

41 **(3) (a) On the first day available for candidate filing for the first general**
42 **municipal election occurring after the final plan for the establishment of the elected**
43 **library board of trustees is submitted to the election authority, any qualified resident**
44 **who has or will have resided in a subdistrict or at-large district for the year immediately**
45 **preceding the general municipal election day and who meets all other applicable**
46 **qualifications for the library board of trustees established in sections 182.140 to 182.301**
47 **may file as a candidate for election to the library board as a trustee representing such**
48 **subdistrict or at-large district.**

49 **(b) At the end of the time available for candidate filing, if no qualified resident of**
50 **a subdistrict has filed as a candidate in that subdistrict, the election authority shall**
51 **extend the time for candidate filing by seven additional days, and any qualified resident**
52 **of the city who has or will have resided in the city for the year immediately preceding**
53 **the general municipal election day and who meets all other applicable qualifications for**
54 **the library board of trustees established in sections 182.140 to 182.301 may file as a**
55 **candidate for election to the library board as a trustee representing that subdistrict.**

56 **(c) No city public library shall require a candidate to submit a petition signed by**
57 **the registered voters of the city as a method of filing a declaration of candidacy. The**
58 **election authority shall determine the validity of all declarations of candidacy.**

59 **(4) When the election is held on the general municipal election day, the**
60 **candidates, one from each of the subdistricts or at-large districts, who receive a plurality**
61 **of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is**
62 **not a subdistrict resident but qualifies as a candidate as a city resident as provided in**
63 **paragraph (b) of subdivision (3) of this subsection shall be elected by the voters of the**
64 **city. Each trustee shall be elected to a term as provided in the final plan for the**
65 **establishment of the elected library board of trustees.**

66 **(5) Each trustee shall serve until a successor is elected or the trustee vacates the**
67 **office.**

68 **(6) Except for a trustee who is not a subdistrict resident but is elected as a city**
69 **resident to represent a subdistrict as provided in paragraph (b) of subdivision (3) of this**
70 **subsection, each trustee shall reside in the subdistrict the trustee represents during the**
71 **trustee's term.**

72 **3. For a city that establishes a public library under sections 182.140 to 182.301, if**
73 **such city served by such public library has an assessed valuation of more than two**
74 **hundred fifty million dollars, trustees shall be elected as follows:**

75 **(1) A city required to elect library board trustees under this subsection shall**
76 **follow all applicable provisions of state law governing elections in chapter 115;**

77 **(2) The election for the library board of trustees and each candidate for library**
78 **board trustee shall be nonpartisan;**

79 **(3) The first election for elected library board trustees shall occur on the general**
80 **municipal election day in April of 2025. Subsequent elections for library board trustees**
81 **shall occur only on the general municipal election day; and**

82 **(4) Trustees elected under this subsection shall serve a four-year term, except**
83 **that the initial trustees elected under this subsection shall serve staggered terms as**
84 **determined by the city as follows:**

85 **(a) Three trustees shall serve an initial term of one year;**

86 **(b) Three trustees shall serve an initial term of two years; and**

87 **(c) Three trustees shall serve an initial term of three years.**

88 **4. No member of the city government shall be a member of the board.**

 182.291. 1. After the establishment of a county library district as provided in section
2 182.010, the board of trustees of any city library within the county, which city has a library
3 tax levy equal to that levied for the county library district, and which county library district
4 has a population of under two hundred and fifty thousand, with the prior approval of the
5 governing body of the city, may petition the county governing body to permit the organization
6 of a city-county library to provide library service to the residents of the county by appropriate
7 means from the city library.

8 2. After the county library board has been appointed as provided in section 182.050,
9 the county library board may petition the county governing body to permit the organization of
10 a city-county library which shall provide library service to the residents of the county by
11 appropriate means from the city library. Within thirty days after receiving the petition the
12 county governing body shall notify the county library board and the city library board of its
13 decision by order of record. If the petition is approved, the city-county library shall be
14 deemed established; but if the petition is denied, the parties may proceed as provided in
15 sections 182.010 to 182.120.

16 3. **(1) If the area served by a city-county library has an assessed valuation of two**
17 **hundred fifty million dollars or less:**

18 **(a) Such city-county library** shall be under the control and supervision of a board of
19 trustees of nine members. If the population of the county is larger than that of the city, the
20 county governing body shall appoint five members of the library board. If the population of
21 the county is less than that of the city, the county governing body shall appoint four members
22 of the library board. If the population of the city is larger than that of the county, the mayor of

23 the city shall appoint five members to the library board. If the population of the city is less
24 than that of the county, the mayor shall appoint four members to the library board[-];

25 **(b) The appointed members shall serve a term of three years and until their**
26 **successors are appointed and qualified in the same manner as their predecessors; except that,**
27 **the original members shall serve terms ranging from one to three years to be determined by**
28 **the board at its first meeting. Immediately upon their appointment, the board shall organize**
29 **as provided in section 182.060; and thereupon the city board shall cease to exist and shall turn**
30 **over all property, books and records to the city-county board; and**

31 **(c) Trustees may be elected as provided in subdivision (2) of this subsection.**

32 **(2) (a) a. If the governing bodies of the city and county adopt an order or**
33 **ordinance or receive a petition, signed by at least five percent of the number of**
34 **registered voters of the area served by the city-county library voting in the last**
35 **gubernatorial election, calling for the governing bodies to establish an elected library**
36 **board of trustees, the governing bodies shall, within thirty days of the last adoption of**
37 **the order or ordinance or the receipt of the petition, notify the election authority with**
38 **jurisdiction over the county.**

39 **b. Upon receiving such notification, the election authority shall submit the**
40 **question of whether to establish an elected library board of trustees as provided by the**
41 **order or ordinance or the petition to the voters of the area served by the city-county**
42 **library on the next available general municipal election day.**

43 **c. The question submitted shall be in substantially the following form: "Shall**
44 **the _____ (insert city-county library name) Board of Trustees change from an**
45 **appointed board to an elected board?"**.

46 **d. If a majority of the registered voters of the area served by the city-county**
47 **library voting on the question approve the establishment of an elected library board of**
48 **trustees, the governing bodies of the city and county shall jointly develop a final plan for**
49 **the establishment of an elected library board of trustees. If a majority of the registered**
50 **voters of the area served by the city-county library voting on the question reject the**
51 **establishment of an elected library board of trustees, no elected library board of trustees**
52 **shall be established.**

53 **(b) Within ninety days after the approval of the establishment of an elected**
54 **library board of trustees, the governing bodies of the city and county shall submit the**
55 **final plan to the election authority with jurisdiction over the county and immediately**
56 **publish the final plan on the city's and county's websites and by any other method**
57 **allowed by law. The final plan shall contain at least the following information:**

58 **a. A summary of the final plan for establishing the elected library board of**
59 **trustees;**

60 **b. A statement indicating whether the territory served by the city-county library**
61 **will, for library board of trustee purposes, be divided into subdistricts, at-large districts,**
62 **or a combination of subdistricts and at-large districts and how many of each;**

63 **c. A description of the areas of the territory served by the city-county library**
64 **each newly elected library board trustee will represent, with each subdistrict and at-**
65 **large district represented by a number;**

66 **d. The date of the election of each new library board trustee as provided in the**
67 **final plan; and**

68 **e. Any other information deemed necessary by the governing bodies of the city**
69 **and county.**

70 **(c) a. On the first day available for candidate filing for the first general**
71 **municipal election occurring after the final plan for the establishment of the elected**
72 **library board of trustees is submitted to the election authority, any qualified resident**
73 **who has or will have resided in a subdistrict or at-large district for the year immediately**
74 **preceding the general municipal election day and who meets all other applicable**
75 **qualifications for the library board of trustees established in this section may file as a**
76 **candidate for election to the library board as a trustee representing such subdistrict or**
77 **at-large district.**

78 **b. At the end of the time available for candidate filing, if no qualified resident of**
79 **a subdistrict has filed as a candidate in that subdistrict, the election authority shall**
80 **extend the time for candidate filing by seven additional days, and any qualified resident**
81 **of the area served by the city-county library who has or will have resided in the area**
82 **served by the city-county library for the year immediately preceding the general**
83 **municipal election day and who meets all other applicable qualifications for the library**
84 **board of trustees established in this section may file as a candidate for election to the**
85 **library board as a trustee representing that subdistrict.**

86 **c. No city-county library shall require a candidate to submit a petition signed by**
87 **the registered voters of the area served by the city-county library as a method of filing a**
88 **declaration of candidacy. The election authority shall determine the validity of all**
89 **declarations of candidacy.**

90 **(d) When the election is held on the general municipal election day, the**
91 **candidates, one from each of the subdistricts or at-large districts, who receive a plurality**
92 **of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is**
93 **not a subdistrict resident but qualifies as a candidate as a city-county library area**
94 **resident as provided in subparagraph b. of paragraph (c) of this subdivision shall be**
95 **elected by the voters of the area served by the city-county library. Each trustee shall be**

96 **elected to a term as provided in the final plan for the establishment of the elected library**
97 **board of trustees.**

98 (e) **Each trustee shall serve until a successor is elected or the trustee vacates the**
99 **office.**

100 (f) **Except for a trustee who is not a subdistrict resident but is elected as a city-**
101 **county library area resident to represent a subdistrict as provided in subparagraph b. of**
102 **paragraph (c) of this subdivision, each trustee shall reside in the subdistrict the trustee**
103 **represents during the trustee's term.**

104 4. All unexpended funds of the preexisting separate city and county library districts
105 shall be deposited by the custodians thereof with the city treasurer immediately upon the
106 issuance of the county governing body's approval of the petition.

107 5. For all tax purposes, including levies and adjustments thereof, the city library
108 district shall become a part of the county library district at the beginning of the next fiscal
109 year after the merger and the property within the city library district shall be treated as within
110 the county library district for all such purposes; except, until the city library district shall
111 become a part of the county library district the levy and collection of taxes shall be made as
112 though no merger had taken place, so that the levy and collection of taxes shall be without
113 interruption, and during that period no change in the levy shall take place. The funds
114 collected shall be turned over to the city treasurer immediately upon collection.

115 6. All of the real and personal property and all of the obligations of the preexisting
116 separate city and county library districts shall, without further action, become the property
117 and obligations of the merged city-county library district, which shall have an official name
118 composed of the name of the city, followed by the name of the county and followed by the
119 words "County Library District".

120 7. The merged district, and the librarian, officials and board thereof, shall have all of
121 the rights, powers, responsibilities, and privileges granted county library districts by the laws
122 of the state of Missouri and shall be governed by such laws, as though the merged districts
123 were a county library district, except:

124 (1) Where such laws are inconsistent with this section;

125 (2) The treasurer of the board of trustees of the library district shall receive and be the
126 custodian of all moneys, belonging to the district from whatever source derived. Such funds
127 shall be audited annually. At least once in every month the proper finance officer shall pay
128 over to the treasurer of the library district all moneys received and collected for the fund,
129 including interest on such moneys, and take duplicate receipts from the treasurer, one of
130 which he shall file with the secretary of the library district and the other of which he shall file
131 in his settlement with the proper governing body;

132 (3) The library board shall prepare a budget for each fiscal year and all expenditures
133 shall conform to such budget. The budget shall be prepared and approved by the library
134 board and made available to the members of the governing body of the city and the members
135 of the county governing body sixty days before the beginning of each fiscal year, except the
136 first budget of the merged district shall be prepared forthwith and so delivered after the
137 merger.

138 **8. For a city-county library established under this section, if the area served by**
139 **such city-county library has an assessed valuation of more than two hundred fifty**
140 **million dollars, trustees shall be elected as follows:**

141 (1) A city and county required to elect library board trustees under this
142 subsection shall follow all applicable provisions of state law governing elections in
143 chapter 115;

144 (2) The election for the library board of trustees and each candidate for library
145 board trustee shall be nonpartisan;

146 (3) The first election for elected library board trustees shall occur on the general
147 municipal election day in April of 2025. Subsequent elections for library board trustees
148 shall occur only on the general municipal election day; and

149 (4) Trustees elected under this subsection shall serve a four-year term, except
150 that the initial trustees elected under this subsection shall serve staggered terms as
151 determined by the city and county as follows:

152 (a) Three trustees shall serve an initial term of one year;

153 (b) Three trustees shall serve an initial term of two years; and

154 (c) Three trustees shall serve an initial term of three years.

182.640. 1. (1) A consolidated public library district created under the provisions of
2 sections 182.610 to 182.670 **that has an assessed valuation of two hundred fifty million**
3 **dollars or less** shall be governed by a board of trustees which shall consist of not less than
4 eight trustees to be appointed by the county commission or county executive officers of the
5 counties participating in the consolidated public library district. Upon the creation of a
6 consolidated district under section 182.620, the county commission or county executive
7 officers of each participating county shall appoint four trustees who are residents of that
8 county and who reside in the district, as representatives of its county. If an existing
9 consolidated public library district is enlarged by incorporating into it any county public
10 library district under section 182.660, then the county commission or county executive of the
11 petitioning county district shall appoint four trustees who are residents of that county as
12 representatives of the county. If an existing consolidated public library district is enlarged by
13 incorporating into it any city, municipal, school, or other public library district that does not
14 include an entire county, that includes territory outside of the consolidated district's existing

15 boundaries, and that petitions to join the consolidated district under section 182.660, then the
16 county commission or county executive of each county within the petitioning district that is
17 outside of the consolidated district's existing boundaries shall appoint one trustee who resides
18 in their county and also within the petitioning district as a representative of the consolidated
19 district.

20 **(2) Trustees may be elected as provided in subdivision (3) of this subsection.**

21 **(3) (a) a. If the governing bodies of the counties participating in the**
22 **consolidated public library district adopt an order or ordinance or receive a petition,**
23 **signed by at least five percent of the number of registered voters of the consolidated**
24 **public library district voting in the last gubernatorial election, calling for the governing**
25 **bodies to establish an elected library board of trustees, the governing bodies shall,**
26 **within thirty days of the last adoption of the order or ordinance or the receipt of the**
27 **petition, notify the election authority with jurisdiction over each county.**

28 **b. Upon receiving such notification, the election authority shall submit the**
29 **question of whether to establish an elected library board of trustees as provided by the**
30 **order or ordinance or the petition to the voters of the consolidated public library district**
31 **residing in such county on the next available general municipal election day.**

32 **c. The question submitted shall be in substantially the following form: "Shall**
33 **the _____ (insert consolidated public library district name) Board of Trustees change**
34 **from an appointed board to an elected board?"**

35 **d. If a majority of the registered voters in each of the counties participating in**
36 **the consolidated public library district voting on the question approve the establishment**
37 **of an elected library board of trustees, the governing bodies of the counties shall jointly**
38 **develop a final plan for the establishment of an elected library board of trustees. If a**
39 **majority of the registered voters in any one of the counties participating in the**
40 **consolidated public library district voting on the question reject the establishment of an**
41 **elected library board of trustees, no elected library board of trustees shall be**
42 **established.**

43 **(b) Within ninety days after the approval of the establishment of an elected**
44 **library board of trustees, the governing bodies of the counties shall submit the final plan**
45 **to the election authority with jurisdiction over each county and immediately publish the**
46 **final plan on each county's website and by any other method allowed by law. The final**
47 **plan shall contain at least the following information:**

48 **a. A summary of the final plan for establishing the elected library board of**
49 **trustees;**

50 **b. A statement indicating whether the area served by the consolidated public**
51 **library district will, for library board of trustee purposes, be divided into subdistricts,**

52 at-large districts, or a combination of subdistricts and at-large districts and how many
53 of each;

54 c. A description of the area served by the consolidated public library district
55 each newly elected library board trustee will represent, with each subdistrict and at-
56 large district represented by a number;

57 d. The date of the election of each new library board trustee as provided in the
58 final plan; and

59 e. Any other information deemed necessary by the governing bodies of the
60 counties.

61 (c) a. On the first day available for candidate filing for the first general
62 municipal election occurring after the final plan for the establishment of the elected
63 library board of trustees is submitted to the election authorities, any qualified resident
64 who has or will have resided in a subdistrict or at-large district for the year immediately
65 preceding the general municipal election day and who meets all other applicable
66 qualifications for the library board of trustees established in sections 182.610 to 182.670
67 may file as a candidate for election to the library board as a trustee representing such
68 subdistrict or at-large district.

69 b. At the end of the time available for candidate filing, if no qualified resident of
70 a subdistrict has filed as a candidate in that subdistrict, the election authority shall
71 extend the time for candidate filing by seven additional days, and any qualified resident
72 of the consolidated public library district who has or will have resided in the
73 consolidated public library district for the year immediately preceding the general
74 municipal election day and who meets all other applicable qualifications for the library
75 board of trustees established in sections 182.610 to 182.670 may file as a candidate for
76 election to the library board as a trustee representing that subdistrict.

77 c. No consolidated public library district shall require a candidate to submit a
78 petition signed by the registered voters of the consolidated public library district as a
79 method of filing a declaration of candidacy. The election authority shall determine the
80 validity of all declarations of candidacy.

81 (d) When the election is held on the general municipal election day, the
82 candidates, one from each of the subdistricts or at-large districts, who receive a plurality
83 of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is
84 not a subdistrict resident but qualifies as a candidate as a consolidated public library
85 district resident as provided in subparagraph b. of paragraph (c) of this subdivision
86 shall be elected by the voters of the consolidated public library district. Each trustee
87 shall be elected to a term as provided in the final plan for the establishment of the
88 elected library board of trustees.

89 **(e) Each trustee shall serve until a successor is elected or the trustee vacates the**
90 **office.**

91 **(f) Except for a trustee who is not a subdistrict resident but is elected as a**
92 **consolidated public library district resident to represent a subdistrict as provided in**
93 **subparagraph b. of paragraph (c) of this subdivision, each trustee shall reside in the**
94 **subdistrict the trustee represents during the trustee's term.**

95 **(4)** No appointed trustee shall be an elected official.

96 2. The trustees of the existing boards of a county public district shall remain as the
97 representatives of their respective county and shall serve the remainder of their respective
98 term as the governing board of a consolidated public library district. Upon expiration of their
99 term the county commission or county executive officer shall appoint a resident of the
100 respective county and district for a four-year term beginning the first day of July or until a
101 successor shall be appointed. Trustees in office as of August 28, 2005, who reside outside the
102 district shall be deemed to have vacated their trusteeships and successors shall be appointed
103 under subsection 4 of this section.

104 3. Whenever any member of the board of trustees shall, without good cause, fail to
105 attend six consecutive board meetings of the consolidated public library district or whenever
106 any member of the board of trustees is deemed by the majority of the board of trustees to be
107 guilty of conduct prejudicial to the good order and effective operation of the consolidated
108 public library district, or whenever any member is deemed to be guilty of neglect of duty, then
109 such member may be removed by resolution of the board of trustees duly acted upon, after
110 specification of charge and hearing.

111 4. Vacancies in the board occasioned by removals, resignations, or otherwise shall be
112 reported to the county commission or county executive officers and shall be filled in like
113 manner as original appointments; except that, if the vacancy occurs during an unexpired term,
114 the appointment shall be for only the unexpired portion of that term.

115 5. No person shall be employed by the board of library trustees or by the librarian
116 who is related within the third degree by blood or by marriage to any trustee of the board.

117 6. Except as in sections 182.610 to 182.670 otherwise expressly provided, no trustee
118 of a consolidated public library district shall receive any fee, salary, gratuity or other
119 compensation or remuneration for acting as such; except that, the board of trustees may
120 reimburse its members for actual and necessary expenses incurred in the performance of their
121 duties.

122 7. The board of trustees shall have a president, secretary and a treasurer and such
123 other officers as the board may select. All officers of the board shall be selected by the board.
124 All officers of the board of trustees shall serve at the pleasure of the board, and shall not

125 receive any salary, gratuity or other compensation or reimbursement for acting as such, except
126 the treasurer, who may also serve as secretary.

127 8. The board shall provide for regularly scheduled meetings of the board to be held
128 monthly; except that, the board shall not be required to meet more than ten times in any
129 calendar year. The board shall make and adopt bylaws, rules and regulations governing the
130 proceedings of the board, including bylaws prescribing the duties of each officer of the board
131 of trustees. No bylaws, rules or regulations shall be contrary to, or inconsistent with, any
132 provision of law.

133 9. A majority of the full board of trustees shall constitute a quorum for the transaction
134 of business. The act of the majority of the trustees present at a meeting at which a quorum is
135 present shall be the act of the board of trustees, except as hereinafter provided. The
136 affirmative vote of a majority of the full board of trustees shall be required to enter into any
137 contract, employ or dismiss the chief administrative officer of the district, effect a merger or
138 consolidation or approve a budget.

139 10. The board of trustees of a consolidated public library district shall adopt policies
140 for the government of the consolidated public library district that will carry out the spirit and
141 intent of sections 182.610 to 182.670, and the board shall employ a duly qualified graduate
142 librarian as the chief executive and administrative officer of the consolidated public library
143 district charged with the duty of carrying out the policies adopted by the board. The librarian
144 shall serve at the pleasure of the board. The librarian shall have the authority to employ
145 professional library assistants and other employees to fill the positions that are created by the
146 board. The assistants and employees may be dismissed by the librarian.

147 **11. For a consolidated public library district established under sections 182.610**
148 **to 182.670 that has an assessed valuation of more than two hundred fifty million dollars,**
149 **trustees shall be elected as follows:**

150 **(1) Each county required to elect library board trustees under this subsection**
151 **shall follow all applicable provisions of state law governing elections in chapter 115;**

152 **(2) The election for the library board of trustees and each candidate for library**
153 **board trustee shall be nonpartisan;**

154 **(3) The first election for elected library board trustees shall occur on the general**
155 **municipal election day in April of 2025. Subsequent elections for library board trustees**
156 **shall occur only on the general municipal election day; and**

157 **(4) Trustees elected under this subsection shall serve a four-year term, except**
158 **that the initial trustees elected under this subsection shall serve staggered terms as**
159 **determined by the counties as follows:**

160 **(a) Three trustees shall serve an initial term of one year;**

161 **(b) Three trustees shall serve an initial term of two years; and**

162 **(c) Three trustees shall serve an initial term of three years.**

182.707. 1. **(1)** An urban public library district created under the provisions of
2 sections 182.701 to 182.723 shall be governed by a board of trustees which shall consist of
3 nine members. The initial board of trustees shall be appointed by the board of directors of the
4 nine director urban school district, no later than fifteen business days following an election
5 approving creation of an urban public library district. The new board of trustees shall meet
6 and organize within ten days of appointment, or as soon after as reasonably practicable.
7 **Except as otherwise provided in subdivision (2) of this subsection,** after the initial
8 appointments, successor trustees shall be appointed by the mayors of the three cities in which
9 the greatest portion of the geographic area of the new urban public library district is located.
10 Seven trustees shall be appointed by the mayor of the city in which the greatest percentage of
11 the geographic area served is located. The mayor of each of the other two cities shall be
12 entitled to appoint one member of the board of trustees. The mayor of the city comprising the
13 third largest geographic area shall be authorized to appoint one board member two years
14 following the initial appointment. The mayor of the city serving the second largest
15 geographic area shall be authorized to appoint one member four years after the initial
16 appointment.

17 **(2) Beginning August 28, 2024, urban public library district trustees shall be**
18 **elected as provided in subsection 10 of this section.**

19 2. Of the nine members initially appointed to the board of trustees pursuant to
20 subsection 1 of this section, two shall serve for two years, three shall serve for three years and
21 four shall serve for four years. At the time of the organizational meeting of the initial library
22 board appointed by the board of education, the nine appointed members shall decide by
23 drawing lots which shall serve for two, three or four years. After the initial members of the
24 board of trustees have been appointed in the manner set forth above, members shall be
25 appointed to serve terms of four years, except that a member appointed to fill a vacancy in a
26 term of office shall be appointed to serve only the remainder of that term. Each member
27 appointed shall serve until his successor in office is appointed and qualified.

28 3. Each member of the board of trustees shall be at least twenty-five years of age and
29 shall be a resident of the urban public library district and shall have resided within the state of
30 Missouri for at least one year next preceding his or her appointment.

31 4. Vacancies in the board of trustees occasioned by removals, resignations, or
32 otherwise shall be reported to the mayor of the appropriate appointing city, and shall be filled
33 in like manner as original appointment; except that, if the vacancy occurs during an unexpired
34 term, the appointment shall be for only the unexpired portion of that term.

35 5. No trustee shall receive any fee, salary, gratuity or other compensation or
36 remuneration for acting as such, except that the board of trustees may reimburse its members
37 for actual and necessary expenses incurred in the performance of their duties.

38 6. The board of trustees shall have a president, secretary, and a treasurer and such
39 other officers as the board may select. All officers of the board of trustees shall be selected by
40 the board. All officers of the board of trustees shall serve at the pleasure of the board and
41 shall not receive any salary, gratuity or other compensation or reimbursement for acting as
42 such, except the treasurer, who may also serve as secretary.

43 7. The board of trustees shall provide for regularly scheduled meetings of the board to
44 be held monthly. The board of trustees shall make and adopt bylaws, rules and regulations
45 governing the proceedings of the board, including bylaws prescribing the duties of each
46 officer of the board of trustees. No bylaws, rules or regulations shall be contrary to, or
47 inconsistent with, any provision of law.

48 8. A majority of the full board of trustees shall constitute a quorum for the transaction
49 of business. An act of the majority of the trustees present at a meeting at which a quorum is
50 present shall be the act of the board of trustees, except as hereinafter provided. The
51 affirmative vote of a majority of the full board of trustees shall be required to enter into any
52 contract, employ or dismiss the chief administrative officer of the district, effect a merger or
53 consolidation or approve a budget.

54 9. The board of trustees of an urban public library district shall adopt policies for the
55 government of the urban public library district that will carry out the spirit and intent of
56 sections 182.701 to 182.723, and the board of trustees shall employ a chief executive as
57 administrative officer of the urban public library district charged with the duty of carrying out
58 the policies adopted by the board of trustees. The chief executive shall serve at the pleasure
59 of the board of trustees. The chief executive shall have the authority to employ professional
60 library assistants and other employees to fill the positions that are created by the board of
61 trustees. The assistants and employees may be dismissed by the chief executive.

62 **10. (1) (a) If an urban public library district board of trustees adopts an order**
63 **or ordinance or receives a petition, signed by at least five percent of the number of**
64 **registered voters of the urban public library district voting in the last gubernatorial**
65 **election, calling for the board of trustees to establish an elected board of trustees, the**
66 **board of trustees shall, within thirty days of the adoption of the order or ordinance or**
67 **the receipt of the petition, notify the election authority with jurisdiction over the urban**
68 **public library district.**

69 **(b) Upon receiving such notification, the election authority shall submit the**
70 **question of whether to establish an elected board of trustees as provided by the order or**

71 ordinance or the petition to the voters of the urban public library district on the next
72 available general municipal election day.

73 (c) The question submitted shall be in substantially the following form: "Shall
74 the _____ (insert urban public library district name) Board of Trustees change from an
75 appointed board to an elected board?"

76 (d) If a majority of the registered voters of the urban public library district
77 voting on the question approve the establishment of an elected board of trustees, the
78 board of trustees shall develop a final plan for the establishment of an elected board of
79 trustees. If a majority of the registered voters of the urban public library district voting
80 on the question reject the establishment of an elected board of trustees, no elected board
81 of trustees shall be established.

82 (2) Within ninety days after the approval of the establishment of an elected
83 board of trustees, the board of trustees shall submit the final plan to the election
84 authority with jurisdiction over the urban public library district and immediately
85 publish the final plan on the district's website and by any other method allowed by law.
86 The final plan shall contain at least the following information:

87 (a) A summary of the final plan for establishing the elected board of trustees;

88 (b) A statement indicating whether the area served by the urban public library
89 district will, for board of trustee purposes, be divided into subdistricts, at-large districts,
90 or a combination of subdistricts and at-large districts and how many of each;

91 (c) A description of the area served by the urban public library district each
92 newly elected trustee will represent, with each subdistrict and at-large district
93 represented by a number;

94 (d) The date of the election of each new trustee as provided in the final plan; and

95 (e) Any other information deemed necessary by the board of trustees.

96 (3) (a) On the first day available for candidate filing for the first general
97 municipal election occurring after the final plan for the establishment of the elected
98 board of trustees is submitted to the election authority, any qualified resident who has
99 or will have resided in a subdistrict or at-large district for the year immediately
100 preceding the general municipal election day and who meets all other applicable
101 qualifications for the board of trustees established in sections 182.701 to 182.723 may
102 file as a candidate for election to the board as a trustee representing such subdistrict or
103 at-large district.

104 (b) At the end of the time available for candidate filing, if no qualified resident of
105 a subdistrict has filed as a candidate in that subdistrict, the election authority shall
106 extend the time for candidate filing by seven additional days, and any qualified resident
107 of the urban public library district who has or will have resided in the urban public

108 library district for the year immediately preceding the general municipal election day
109 and who meets all other applicable qualifications for the board of trustees established in
110 sections 182.701 to 182.723 may file as a candidate for election to the board as a trustee
111 representing that subdistrict.

112 (c) No urban public library district shall require a candidate to submit a petition
113 signed by the registered voters of the urban public library district as a method of filing a
114 declaration of candidacy. The election authority shall determine the validity of all
115 declarations of candidacy.

116 (4) When the election is held on the general municipal election day, the
117 candidates, one from each of the subdistricts or at-large districts, who receive a plurality
118 of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is
119 not a subdistrict resident but qualifies as a candidate as an urban public library district
120 resident as provided in paragraph (b) of subdivision (3) of this subsection shall be
121 elected by the voters of the urban public library district. Each trustee shall be elected to
122 a term as provided in the final plan for the establishment of the elected board of
123 trustees.

124 (5) Each trustee shall serve until a successor is elected or the trustee vacates the
125 office.

126 (6) Except for a trustee who is not a subdistrict resident but is elected as an
127 urban public library district resident to represent a subdistrict as provided in
128 paragraph (b) of subdivision (3) of this subsection, each trustee shall reside in the
129 subdistrict the trustee represents during the trustee's term.

130 11. For an urban public library district established under sections 182.701 to
131 182.723 that elects trustees under subsection 10 of this section, such elections shall be
132 conducted subject to the following additional requirements:

133 (1) Each urban public library district required to elect library board trustees
134 under subsection 10 of this section shall follow all applicable provisions of state law
135 governing elections in chapter 115;

136 (2) The election for the board of trustees and each candidate for board trustee
137 shall be nonpartisan;

138 (3) The first election for elected board trustees shall occur on the general
139 municipal election day immediately after the approval of the establishment of an elected
140 board of trustees. Subsequent elections for board trustees shall occur only on the
141 general municipal election day; and

142 (4) Trustees elected under subsection 10 of this section and this subsection shall
143 serve a four-year term, except that the initial trustees elected shall serve staggered terms
144 as determined by the urban public library district as follows:

- 145 (a) Three trustees shall serve an initial term of one year;
146 (b) Three trustees shall serve an initial term of two years; and
147 (c) Three trustees shall serve an initial term of three years.

182.820. 1. For a public library or public library district that has an assessed
2 valuation of more than two hundred fifty million dollars and that is created by a
3 contract or by any method other than methods provided under this chapter, library
4 board members shall be elected as follows:

5 (1) Each public library or public library district required to elect library board
6 members under this subsection shall follow all applicable provisions of state law
7 governing elections in chapter 115;

8 (2) The election for the library board and each candidate for library board
9 member shall be nonpartisan;

10 (3) The first election for elected library board shall occur on the general
11 municipal election day in April of 2025. Subsequent elections for library board
12 members shall occur only on the general municipal election day; and

13 (4) Members elected under this subsection shall serve a four-year term, except
14 that the initial members elected under this subsection shall be elected to staggered terms
15 so that not more than half of the members are elected in the same subsequent elections.

16 2. For a public library or public library district that has an assessed valuation of
17 two hundred fifty million dollars or less and that is created by a contract or by any
18 method other than methods provided under this chapter, trustees shall be elected as
19 provided in subsection 3 of this section.

20 3. (1) (a) If the governing body of a public library or public library district
21 adopts an order or ordinance or receives a petition, signed by at least five percent of the
22 number of registered voters of the area served by the public library or the public library
23 district voting in the last gubernatorial election, calling for the governing body to
24 establish an elected library board, the governing body shall, within thirty days of the
25 adoption of the order or ordinance or the receipt of the petition, notify the election
26 authority with jurisdiction over the public library or public library district.

27 (b) Upon receiving such notification, the election authority shall submit the
28 question of whether to establish an elected library board as provided by the order or
29 ordinance or the petition to the voters of the area served by the public library or the
30 public library district on the next available general municipal election day.

31 (c) The question submitted shall be in substantially the following form: "Shall
32 the _____ (insert public library or public library district name) Library Board change
33 from an appointed board to an elected board?".

34 **(d) If a majority of the registered voters of the area served by the public library**
35 **or the public library district voting on the question approve the establishment of an**
36 **elected library board, the governing body of the public library or the public library**
37 **district shall develop a final plan for the establishment of an elected library board. If a**
38 **majority of the registered voters of the area served by the public library or the public**
39 **library district voting on the question reject the establishment of an elected library**
40 **board, no elected library board shall be established.**

41 **(2) Within ninety days after the approval of the establishment of an elected**
42 **library board, the governing body of the public library or the public library district**
43 **shall submit the final plan to the election authority with jurisdiction over the public**
44 **library or the public library district and immediately publish the final plan on the**
45 **library's or district's website and by any other method allowed by law. The final plan**
46 **shall contain at least the following information:**

47 **(a) A summary of the final plan for establishing the elected library board;**

48 **(b) A statement indicating whether the territory served by the public library or**
49 **the public library district will, for library board purposes, be divided into subdistricts,**
50 **at-large districts, or a combination of subdistricts and at-large districts and how many**
51 **of each;**

52 **(c) A description of the areas of the territory served by the public library or the**
53 **public library district each newly elected library board member will represent, with**
54 **each subdistrict and at-large district represented by a number;**

55 **(d) The date of the election of each new library board member as provided in the**
56 **final plan; and**

57 **(e) Any other information deemed necessary by the governing body of the public**
58 **library or the public library district.**

59 **(3) (a) On the first day available for candidate filing for the first general**
60 **municipal election occurring after the final plan for the establishment of the elected**
61 **library board is submitted to the election authority, any qualified resident who has or**
62 **will have resided in a subdistrict or at-large district for the year immediately preceding**
63 **the general municipal election day and who meets all other applicable qualifications for**
64 **the library board established by a contract or by any method other than methods**
65 **provided under this chapter may file as a candidate for election to the library board as a**
66 **member representing such subdistrict or at-large district.**

67 **(b) At the end of the time available for candidate filing, if no qualified resident of**
68 **a subdistrict has filed as a candidate in that subdistrict, the election authority shall**
69 **extend the time for candidate filing by seven additional days, and any qualified resident**
70 **of the area served by the public library or the public library district who has or will**

71 have resided in the area served by the public library or the public library district for the
72 year immediately preceding the general municipal election day and who meets all other
73 applicable qualifications for the library board established by a contract or by any
74 method other than methods provided under this chapter may file as a candidate for
75 election to the library board as a member representing that subdistrict.

76 (c) No public library or the public library district shall require a candidate to
77 submit a petition signed by the registered voters of the area served by the public library
78 or the public library district as a method of filing a declaration of candidacy. The
79 election authority shall determine the validity of all declarations of candidacy.

80 (4) When the election is held on the general municipal election day, the
81 candidates, one from each of the subdistricts or at-large districts, who receive a plurality
82 of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is
83 not a subdistrict resident but qualifies as a candidate as a resident of the area served by
84 the public library or as a public library district resident as provided in paragraph (b) of
85 subdivision (3) of this subsection shall be elected by the voters of the public library or
86 the public library district. Each member shall be elected to a term as provided in the
87 final plan for the establishment of the elected library board.

88 (5) Each member shall serve until a successor is elected or the member vacates
89 the office.

90 (6) Except for a member who is not a subdistrict resident but is elected as a
91 resident of the area served by the public library or as a public library district resident to
92 represent a subdistrict as provided in paragraph (b) of subdivision (3) of this subsection,
93 each member shall reside in the subdistrict the member represents during the member's
94 term.

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