

SECOND REGULAR SESSION

# HOUSE BILL NO. 2181

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WILLIAMS.

5773H.01I

JOSEPH ENGLER, Chief Clerk

### AN ACT

To repeal sections 115.124, 162.491, 162.492, 162.563, 162.860, 162.910, 178.820, 178.840, 190.050, 198.280, 206.090, 247.217, 249.140, 257.170, 321.130, and 321.210, RSMo, and to enact in lieu thereof sixteen new sections relating to candidate filing location.

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

Section A. Sections 115.124, 162.491, 162.492, 162.563, 162.860, 162.910, 178.820, 178.840, 190.050, 198.280, 206.090, 247.217, 249.140, 257.170, 321.130, and 321.210, RSMo, are repealed and sixteen new sections enacted in lieu thereof, to be known as sections 115.124, 162.491, 162.492, 162.563, 162.860, 162.910, 178.820, 178.840, 190.050, 198.280, 206.090, 247.217, 249.140, 257.170, 321.130, and 321.210, to read as follows:

115.124. 1. Notwithstanding any other law to the contrary, in a nonpartisan election in any political subdivision or special district including municipal elections in any city, town, or village with two thousand or fewer inhabitants that have adopted a proposal pursuant to subsection 3 of this section but excluding municipal elections in any city, town, or village with more than two thousand inhabitants, if the notice provided for in subsection 5 of section 115.127 has been published in at least one newspaper of general circulation as defined in section 493.050 in the district, and if the number of candidates for each office in a particular political subdivision, special district, or municipality is equal to the number of positions for each office within the political subdivision, special district, or municipality to be filled by the election and no ballot measure is placed on the ballot such that a particular political subdivision will owe no proportional elections costs if an election is not held, no election shall be held, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they had been elected. If no election is held for a particular

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.

14 political subdivision, special district, or municipality as provided in this section, the election  
15 authority shall publish a notice containing the names of the candidates that shall assume the  
16 responsibilities of office under this section. Such notice shall be published in at least one  
17 newspaper of general circulation as defined in section 493.050 in such political subdivision or  
18 district by the first of the month in which the election would have occurred, had it been  
19 contested. Notwithstanding any other provision of law to the contrary, if at any election the  
20 number of candidates filing for a particular office exceeds the number of positions to be filled  
21 at such election, the election authority shall hold the election as scheduled, even if a sufficient  
22 number of candidates withdraw from such contest for that office so that the number of  
23 candidates remaining after the filing deadline is equal to the number of positions to be filled.

24       2. The election authority ~~[or political subdivision]~~ responsible for the oversight of the  
25 filing of candidates in any nonpartisan election in any political subdivision or special district  
26 shall clearly designate where candidates shall form a line to effectuate such filings and  
27 determine the order of such filings; except that, in the case of candidates who file a  
28 declaration of candidacy with the election authority ~~[or political subdivision]~~ prior to 5:00  
29 p.m. on the first day for filing, the election authority ~~[or political subdivision may]~~ **shall**  
30 determine by random drawing the order in which such candidates' names shall appear on the  
31 ballot. ~~[If a]~~ **Such** drawing ~~[is conducted pursuant to this subsection, it]~~ shall be conducted so  
32 that each candidate, or candidate's representative if the candidate filed under subsection 2 of  
33 section 115.355, may draw a number at random at the time of filing. ~~[If such drawing is~~  
34 ~~conducted,]~~ The election authority ~~[or political subdivision]~~ shall record the number drawn  
35 with the candidate's declaration of candidacy. ~~[If such drawing is conducted,]~~ The names of  
36 candidates filing on the first day of filing for each office on each ballot shall be listed in  
37 ascending order of the numbers so drawn.

38       3. The governing body of any city, town, or village with two thousand or fewer  
39 inhabitants may submit to the voters at any available election, a question to adopt the  
40 provisions of subsection 1 of this section for municipal elections. If a majority of the votes  
41 cast by the qualified voters voting thereon are in favor of the question, then the city, town, or  
42 village shall conduct nonpartisan municipal elections as provided in subsection 1 of this  
43 section for all nonpartisan elections remaining in the year in which the proposal was adopted  
44 and for the six calendar years immediately following such approval. At the end of such six-  
45 year period, each such city, town, or village shall be prohibited from conducting such  
46 elections in such a manner unless such a question is again adopted by the majority of  
47 qualified voters as provided in this subsection.

48       4. **(1) Notwithstanding any other provision of law to the contrary, the**  
49 **appropriate election authority for all nonpartisan elections conducted in a political**  
50 **subdivision or special district as described in this section shall be the election authority**

51 as established in section 115.015 for the city or county, as applicable, in which such  
52 political subdivision or special district is located.

53 (2) For a nonpartisan election for a political subdivision or special district  
54 located within the jurisdiction of more than one election authority, the election authority  
55 of the jurisdiction with the greatest proportion of the political subdivision's or special  
56 district's registered voters shall be the appropriate election authority and subsections 2  
57 and 3 of section 115.023 shall apply.

162.491. 1. Directors for urban school districts, other than those districts containing  
2 the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated  
3 by petition to be filed with the ~~[secretary of the board]~~ **appropriate election authority** and  
4 signed by a number of voters in the district equal to ten percent of the total number of votes  
5 cast for the director receiving the highest number of votes cast at the next preceding biennial  
6 election, except as provided in subsection 4 of this section.

7 2. This section shall not be construed as providing the sole method of nominating  
8 candidates for the office of school director in urban school districts that do not contain the  
9 greater part of a city of over three hundred thousand inhabitants.

10 3. A director for any urban school district containing a city of greater than one  
11 hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be  
12 nominated as an independent candidate by filing with the ~~[secretary of the board]~~  
13 **appropriate election authority** a petition signed by five hundred registered voters of such  
14 school district.

15 4. In any urban school district located in a county of the first classification with more  
16 than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home  
17 rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants  
18 as the county seat, a candidate for director shall file a declaration of candidacy with the  
19 ~~[secretary of the board]~~ **appropriate election authority** and shall not be required to submit a  
20 petition.

21 5. No candidate for election as a school board director representing a subdistrict as  
22 provided in section 162.563 shall be required to file a declaration of candidacy as provided in  
23 this section as the sole method of filing for candidacy.

162.492. 1. In all urban districts containing the greater part of the population of a city  
2 which has more than three hundred thousand inhabitants, the election authority of the city in  
3 which the greater portion of the school district lies, and of the county if the district includes  
4 territory not within the city limits, shall serve ex officio as a redistricting commission. The  
5 commission shall on or before November 1, 2018, divide the school district into five  
6 subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in  
7 the number of inhabitants as practicable and thereafter the board shall redistrict the district

8 into subdivisions as soon as practicable after each United States decennial census. In  
9 establishing the subdistricts each member shall have one vote and a majority vote of the total  
10 membership of the commission is required to make effective any action of the commission.

11 2. School elections for the election of directors shall be held on municipal election  
12 days in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until  
13 2019 and until their successors are elected and qualified. At the election in 2016, directors  
14 shall be elected until 2019 and until their successors are elected and qualified. Beginning in  
15 2019, school elections for the election of directors shall be held on the local election date as  
16 specified in the charter of a home rule city with more than four hundred thousand inhabitants  
17 and located in more than one county. Beginning at the election for school directors in 2019,  
18 the number of directors on the board shall be reduced from nine to seven. Two directors shall  
19 be at-large directors and five directors shall represent the subdistricts, with one director from  
20 each of the subdistricts. At the 2019 election, one of the at-large directors and the directors  
21 from subdistricts one, three, and five shall be elected for a two-year term, and the other at-  
22 large director and the directors from subdistricts two and four shall be elected for a four-year  
23 term. Thereafter, all seven directors shall serve a four-year term. Directors shall serve until  
24 the next election and until their successors, then elected, are duly qualified as provided in this  
25 section. In addition to other qualifications prescribed by law, each member elected from a  
26 subdistrict shall be a resident of the subdistrict from which he or she is elected. The  
27 subdistricts shall be numbered from one to five.

28 3. The five candidates, one from each of the subdistricts, who receive a plurality of  
29 the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality  
30 of the at-large votes shall be elected. The name of no candidate for nomination shall be  
31 printed on the ballot unless the candidate has at least sixty days prior to the election filed a  
32 declaration of candidacy with the ~~[secretary of the board of directors]~~ **appropriate election**  
33 **authority** containing the signatures of at least two hundred fifty registered voters who are  
34 residents of the subdistrict within which the candidate for nomination to a subdistrict office  
35 resides, and in case of at-large candidates the signatures of at least five hundred registered  
36 voters. The election authority shall determine the validity of all signatures on declarations of  
37 candidacy.

38 4. In any election either for at-large candidates or candidates elected by the voters of  
39 subdistricts, if there are more than two candidates, a majority of the votes are not required to  
40 elect but the candidate having a plurality of the votes shall be elected.

41 5. The names of all candidates shall appear upon the ballot without party designation  
42 and in the order of the priority ~~[of the times of filing their petitions of nomination]~~ **as**  
43 **established in section 115.124**. No candidate may file both at large and from a subdistrict  
44 and the names of all candidates shall appear only once on the ballot, nor may any candidate

45 file more than one declaration of candidacy. All declarations shall designate the candidate's  
46 residence and whether the candidate is filing at large or from a subdistrict and the numerical  
47 designation of the subdistrict or at-large area.

48 6. The provisions of all sections relating to seven-director school districts shall also  
49 apply to and govern urban districts in cities of more than three hundred thousand inhabitants,  
50 to the extent applicable and not in conflict with the provisions of those sections specifically  
51 relating to such urban districts.

52 7. Vacancies which occur on the school board shall be filled in the manner provided  
53 in section 162.471.

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

2 (1) "School board", the board vested with the government and control of a school  
3 district as described in section 162.261 or section 162.471;

4 (2) "School district", a seven-director school district or an urban school district  
5 established in this chapter.

6 2. A school board may divide the school district into seven subdistricts or a  
7 combination of subdistricts and at-large districts and establish the election of school board  
8 members as provided in this section.

9 3. (1) A school board desiring to divide a school district as provided in this section  
10 shall vote on the question of dividing the district as provided in this section. Upon the  
11 approval of the question by at least four members of the school board, the school board shall  
12 develop a proposed plan as described in subdivision (2) of this subsection.

13 (2) A school board dividing a school district as provided in this section shall develop  
14 and adopt a proposed plan for the division of the school district. Such proposed plan shall be  
15 adopted upon the approval of at least four members of the school board and shall contain at  
16 least the following information:

17 (a) A summary of the proposed plan for dividing the school district;

18 (b) A statement indicating whether the school district will be divided into seven  
19 subdistricts or a combination of subdistricts and at-large districts;

20 (c) A description of the areas of the school district each newly elected school board  
21 member will represent, with each subdistrict and at-large district represented by a number;

22 (d) A statement indicating whether the existing school board members will be  
23 replaced by the newly elected school board members at one election or in succeeding  
24 elections to provide for staggered terms of the members; and

25 (e) Any other information deemed necessary by the school board.

26 (3) After the school board develops such proposed plan, the school board shall  
27 immediately notify the election authority of the county in which the school district is located.  
28 Upon receiving such notification, the election authority shall submit the question of whether

29 to divide the school district as described in the proposed plan to the voters of the school  
30 district on the next available day for any municipal election. If a majority of the registered  
31 voters of the school district voting on the question approve the division of the school district,  
32 the school board shall follow the procedures described in subsection 4 of this section. If a  
33 majority of the registered voters of the school district voting on the question reject the  
34 division of the school district, no division as described in this section shall occur.

35 4. (1) After approval of a question submitted under subdivision (3) of subsection 3 of  
36 this section, a school board dividing a school district as provided in this section shall adopt a  
37 final plan for the division of the school district based on the proposed plan developed under  
38 subsection 3 of this section. Such final plan shall contain at least the following information:

39 (a) A summary of the proposed plan for dividing the school district;

40 (b) The time and place of at least two public hearings to be held to consider the  
41 proposed plan;

42 (c) A statement indicating whether the school district will be divided into seven  
43 subdistricts or a combination of subdistricts and at-large districts;

44 (d) A description of the areas of the school district each newly elected school board  
45 member will represent, with each subdistrict and at-large district represented by a number;

46 (e) A statement indicating whether the existing school board members will be  
47 replaced by the newly elected school board members at one election or in succeeding  
48 elections to provide for staggered terms of the members; and

49 (f) Any other information deemed necessary by the school board.

50 (2) For each hearing held as provided in this subsection, the school board shall:

51 (a) Publish notice of the hearing, the proposed plan, and any amendments to the  
52 proposed plan adopted at a previous hearing on the school district's website and by any other  
53 method allowed by law, with the first publication to occur no more than thirty days before the  
54 hearing and the second publication to occur no earlier than fifteen days and no later than ten  
55 days before the hearing;

56 (b) Hear all alternate proposals for division of the school district and receive evidence  
57 for or against such alternate proposals;

58 (c) Hear all protests and receive evidence for or against such proposed division;

59 (d) Vote on each alternate proposal and protest, which vote shall be the final  
60 determination of such alternate proposal or protest;

61 (e) Adopt any amendments to the proposed plan; and

62 (f) Perform any other actions related to the proposed plan deemed necessary by the  
63 school board.

64 (3) (a) After the conclusion of the final hearing proceedings but before adjourning  
65 such hearing, the school board shall adopt the final plan to divide the school district  
66 developed as a result of the hearings.

67 (b) After the school board adopts the final plan, the school board shall present the  
68 final plan to the election authority of the county in which the school district is located for  
69 actions required under subdivision (4) of this subsection and publish the final plan in the same  
70 manner as the initial proposed plan was published under paragraph (a) of subdivision (2) of  
71 this subsection. The final plan shall contain at least the following information:

72 a. A summary of the final plan for dividing the school district;

73 b. A statement indicating whether the school district will be divided into seven  
74 subdistricts or a combination of subdistricts and at-large districts;

75 c. A description of the areas of the school district each newly elected school board  
76 member will represent, with each subdistrict and at-large district represented by a number;

77 d. The date of the election of each new school board member as provided in the final  
78 plan;

79 e. A statement indicating whether the existing school board members will be replaced  
80 by the newly elected school board members at one election or in succeeding elections to  
81 provide for staggered terms of the members; and

82 f. Any other information deemed necessary by the school board.

83 (4) (a) After a final plan is adopted as provided in subdivision (3) of this subsection,  
84 before December first of the calendar year immediately preceding the general municipal  
85 election day in the calendar year in which the residents of the school district will vote to elect  
86 new school board members as provided in the final plan, the school board shall divide the  
87 school district into seven subdistricts or a combination of subdistricts and at-large districts as  
88 directed in the final plan. All subdistricts required by the final plan shall be of contiguous and  
89 compact territory and as nearly equal in population as practicable in accordance with the final  
90 plan. Within six months after each decennial census is reported to the President of the United  
91 States, the school board shall reapportion the subdistricts to be as nearly equal in population  
92 as practicable. After the school board divides the school district or reapportions the  
93 subdistricts, the school board shall notify the residents of the school district as provided by  
94 law.

95 (b) Any resident of the school district who believes the school board has divided the  
96 school district or reapportioned subdistricts in violation of paragraph (a) of this subdivision  
97 may petition the circuit court of the county in which the school district exists for an order  
98 directing the school board to divide the school district or reapportion the subdistricts as  
99 provided in paragraph (a) of this subdivision. The petition shall be submitted to the circuit

100 court within ten business days of the school board's notice required in paragraph (a) of this  
101 subdivision.

102 (5) On the first day available for candidate filing for the first general municipal  
103 election occurring after the school district is divided as provided in this subsection, any  
104 qualified resident who has or will have resided in a subdistrict or at-large district for the year  
105 immediately preceding the general municipal election day may file as a candidate for election  
106 to the school board as a member representing such subdistrict or at-large district. At the end  
107 of the time available for candidate filing, if no qualified resident of a subdistrict has filed as a  
108 candidate in that subdistrict, the election authority shall extend the time for candidate filing  
109 by seven additional days, and any qualified resident of the school district who has or will have  
110 resided in the school district for the year immediately preceding the general municipal  
111 election day may file **with the appropriate election authority** as a candidate for election to  
112 the school board as a member representing that subdistrict. No ~~[school district shall require a]~~  
113 candidate **shall be required** to submit a petition signed by the registered voters of the school  
114 district as a method of filing a declaration of candidacy. The election authority shall  
115 determine the validity of all declarations of candidacy.

116 (6) When the election is held on the general municipal election day, the seven  
117 candidates, one from each of the subdistricts or at-large districts, who receive a plurality of  
118 the votes cast by the voters of that subdistrict or at-large district shall be elected. Any  
119 candidate who is not a subdistrict resident but qualifies as a candidate as a school district  
120 resident as provided in subdivision (5) of this subsection shall be elected by the voters of the  
121 school district. Each member shall be elected to a term as provided in the final plan adopted  
122 as provided in subdivision (3) of this subsection.

123 (7) Each member shall serve until a successor is elected or the member vacates the  
124 office. Any vacancy that occurs before the end of the member's term shall be filled as  
125 provided in section 162.261 or 162.471.

126 (8) Except for a member who is not a subdistrict resident but is elected as a school  
127 district resident to represent a subdistrict as provided in subdivision (5) of this subsection,  
128 each member shall reside in the subdistrict the member represents during the member's term.

129 (9) All other provisions applicable to school districts that are not in conflict with this  
130 subsection shall apply to school districts divided as provided in this subsection.

131 5. (1) If any school district receives a petition, signed by at least ten percent of the  
132 number of registered voters of the school district voting in the last school board election,  
133 calling for the school district to divide into seven subdistricts or a combination of subdistricts  
134 and at-large districts and establish the election of school board members as provided in this  
135 subsection, the school district shall immediately notify the election authority of the county in  
136 which the school district is located. Upon receiving such notification, the election authority



137 shall submit the question of whether to divide the school district as provided by the petition to  
138 the voters of the school district on the next available day for any municipal election. If a  
139 majority of the registered voters of the school district voting on the question approve the  
140 division of the school district, the school board shall begin the process of adopting the plan as  
141 described in this subsection. If a majority of the registered voters of the school district voting  
142 on the question reject the division of the school district, no division as described in the  
143 petition shall occur.

144 (2) (a) Any such petition submitted to the school district as provided in this  
145 subsection shall contain a proposed plan for the division of the school district. Such proposed  
146 plan shall contain at least the following information:

- 147 a. A summary of the proposed plan for dividing the school district;
- 148 b. A statement indicating whether the school district will be divided into seven  
149 subdistricts or a combination of subdistricts and at-large districts;
- 150 c. A description of the areas of the school district each newly elected school board  
151 member will represent, with each subdistrict and at-large district represented by a number;
- 152 d. The proposed date of the election of each new school board member as provided in  
153 the proposed plan;
- 154 e. A statement indicating whether the existing school board members will be replaced  
155 by the newly elected school board members at one election or in succeeding elections to  
156 provide for staggered terms of the members; and
- 157 f. Any other information deemed necessary by the school board.

158 (b) If a division of the school district is approved by the voters as provided in  
159 subdivision (1) of this subsection, the school board shall create a school district division  
160 commission to develop a final plan for division of the school district. The commission shall:

- 161 a. Be composed of nine members as follows:
  - 162 (i) Three members appointed by the superintendent of the school district;
  - 163 (ii) Three members appointed by the county commission; and
  - 164 (iii) Three members appointed by the organizers of the petition to divide the school  
165 district; and
- 166 b. Set the time and place of at least two hearings to be held to consider the proposed  
167 plan. For each hearing held, the commission shall:
  - 168 (i) Publish notice of the hearing, the proposed plan, and any amendments to the  
169 proposed plan adopted at a previous hearing on the school district's website and by any other  
170 method allowed by law, with the first publication to occur no more than thirty days before the  
171 hearing and the second publication to occur no earlier than fifteen days and no later than ten  
172 days before the hearing;

173 (ii) Conduct the hearing on the proposal for division of the district on behalf of the  
174 petitioners;

175 (iii) Hear all protests and receive evidence for or against such proposed division; and

176 (iv) Vote to adopt any proposed plan amendments agreed to by the petitioners as a  
177 result of the hearings.

178 (c) Within ninety days after the adjournment of the final hearing conducted as  
179 provided in this subdivision, the commission shall submit the final plan to the election  
180 authority of the county in which the school district is located for actions required in  
181 subdivision (3) of this subsection and publish the final plan in the same manner as the initial  
182 proposed plan was published as provided in item (i) of subparagraph b. of paragraph (b) of  
183 this subdivision. The final plan shall contain at least the following information:

184 a. A summary of the final plan for dividing the school district;

185 b. A statement indicating whether the school district will be divided into seven  
186 subdistricts or a combination of subdistricts and at-large districts;

187 c. A description of the areas of the school district each newly elected school board  
188 member will represent, with each subdistrict and at-large district represented by a number;

189 d. The date of the election of each new school board member as provided in the final  
190 plan;

191 e. A statement indicating whether the existing school board members will be replaced  
192 by the newly elected school board members at one election or in succeeding elections to  
193 provide for staggered terms of the members; and

194 f. Any other information deemed necessary by the commission.

195 (3) (a) After a final plan is submitted to the election authority as provided in  
196 subdivision (2) of this subsection, before December first of the calendar year immediately  
197 preceding the general municipal election day in the calendar year in which the residents of the  
198 school district will vote to elect new school board members as provided in the final plan, the  
199 school district division commission shall divide the school district into seven subdistricts or a  
200 combination of subdistricts and at-large districts as directed in the final plan. All subdistricts  
201 required by the final plan shall be of contiguous and compact territory and as nearly equal in  
202 population as practicable in accordance with the final plan. Within six months after each  
203 decennial census is reported to the President of the United States, the commission shall  
204 reapportion the subdistricts to be as nearly equal in population as practicable. After the  
205 commission divides the school district or reapportions the subdistricts, the commission shall  
206 notify the residents of the school district as provided by law.

207 (b) Any resident of the school district who believes the school district division  
208 commission has divided the school district or reapportioned subdistricts in violation of  
209 paragraph (a) of this subdivision may petition the circuit court of the county in which the

210 school district exists for an order directing the commission to divide the school district or  
211 reapportion the subdistricts as provided in paragraph (a) of this subdivision. The petition  
212 shall be submitted to the circuit court within ten business days of the commission's notice  
213 provided in paragraph (a) of this subdivision.

214 (4) On the first day available for candidate filing for the first general municipal  
215 election occurring after the school district is divided as provided in this subsection, any  
216 qualified resident who has or will have resided in a subdistrict or at-large district for the year  
217 immediately preceding the general municipal election day may file as a candidate for election  
218 to the school board as a member representing such subdistrict or at-large district. At the end  
219 of the time available for candidate filing, if no qualified resident of a subdistrict has filed as a  
220 candidate in that subdistrict, the election authority shall extend the time for candidate filing  
221 by seven additional days, and any qualified resident of the school district who has or will have  
222 resided in the school district for the year immediately preceding the general municipal  
223 election day may file **with the appropriate election authority** as a candidate for election to  
224 the school board as a member representing that subdistrict. No ~~[school district shall require a]~~  
225 candidate **shall be required** to submit a petition signed by the registered voters of the school  
226 district as a method of filing a declaration of candidacy. The election authority shall  
227 determine the validity of all declarations of candidacy.

228 (5) When the election is held on the general municipal election day, the seven  
229 candidates, one from each of the subdistricts or at-large districts, who receive a plurality of  
230 the votes cast by the voters of that subdistrict shall be elected. Any candidate who is not a  
231 subdistrict resident but qualifies as a candidate as a school district resident as provided in  
232 subdivision (4) of this subsection shall be elected by the voters of the school district. Each  
233 member shall be elected to a term as provided in the final plan approved as provided in  
234 subdivision (2) of this subsection.

235 (6) Each member shall serve until a successor is elected or the member vacates the  
236 office. Any vacancy that occurs before the end of the member's term shall be filled as  
237 provided in section 162.261 or 162.471.

238 (7) Except for a member who is not a subdistrict resident but is elected as a school  
239 district resident to represent a subdistrict as provided in subdivision (4) of this subsection,  
240 each member shall reside in the subdistrict the member represents during the member's term.

241 (8) All other provisions applicable to school districts that are not in conflict with this  
242 subsection shall apply to school districts divided as provided in this subsection.

243 6. No new plan for division of the school district shall be proposed or adopted as  
244 provided in this section sooner than five years after a division of the school district as  
245 provided in this section.

162.860. Candidates for membership on the board of education of a special school district with a population of not more than one hundred thousand persons shall be citizens of the United States and voters of the proposed district who have resided within the state for one year next preceding the election and who are at least twenty-four years of age. All candidates shall file their declarations of candidacy with the ~~[secretary of the state board of education]~~ **appropriate election authority**.

162.910. At the elections conducted pursuant to section 162.865, the voters of a special district with a population of not more than one hundred thousand persons shall elect, by ballot, two board members to succeed those whose terms have expired and the board members so elected shall hold office for terms of three years and until their successors have been elected and qualified and shall assume the duties of their offices at the first regular meeting of the board of education held after their election. Candidates shall file their declarations of candidacy for office of board member with the ~~[secretary of the board of education]~~ **appropriate election authority** of the special school district. ~~[A majority of the then qualified members of the board of education of the special school district]~~ **The appropriate election authority** shall certify the candidates receiving the greatest number of votes for terms of three years each and until their successors shall have been elected and qualified, and shall declare and certify the results of the vote cast on any question presented at the election.

178.820. 1. In the organization election, six trustees shall be elected at large throughout the entire proposed district. The two candidates receiving the greatest number of votes shall be elected for terms of six years each, the two receiving the next greatest number of votes for terms of four years each, the two receiving the next greatest number of votes for terms of two years each, and such terms shall be effective until the first Tuesday in April coinciding with or next following such period of years, or until the successors to such trustees have been duly elected and qualified. Thereafter, the trustees shall be elected for terms of six years each.

2. Following the initial election, the board of trustees may, at any duly called meeting, adopt a resolution calling for the formation of a redistricting committee to consider the formation of subdistricts within the community college district from which trustees are thereafter to be elected. Upon adoption of any such resolution, the secretary of the board of trustees shall forward a certified copy thereof to the coordinating board for higher education with the request that a redistricting committee be appointed in order to divide the community college districts into at least two and not more than six subdistricts for the purpose of electing trustees. The redistricting committee shall consist of three residents within the affected district, appointed by the board of trustees of the affected district, plus three additional persons **who are** residents within the affected district, appointed by the coordinating board for

19 higher education. Thereafter, the redistricting committee shall meet, organize itself with a  
20 ~~[chairman]~~ **chair** and secretary, and proceed with the adoption of a redistricting plan  
21 specifying at least two but not more than six subdistricts which are to the extent possible so  
22 apportioned on the basis of population that the population of any such subdistrict divided by  
23 the number of trustees to be selected therefrom substantially equals the population of any  
24 other subdistrict divided by the number of trustees to be selected therefrom. The redistricting  
25 plan referred to herein, in lieu of requiring all trustees to be elected from subdistricts, may  
26 provide for the election of one or more trustees at large and the remainder from subdistricts,  
27 or for the election of all the trustees at large with the requirement that each must reside in a  
28 certain subdistrict, so long as in any plan adopted, subdistricts are apportioned as provided  
29 above. Notwithstanding the above, the board of trustees of any community college district  
30 which contains more than four hundred fifty thousand residents shall, at the first duly called  
31 meeting following August 13, 1972, and thereafter within ninety days following the  
32 publication of the decennial census figures, adopt a resolution calling for the formation of a  
33 redistricting committee; and the redistricting committee shall adopt a redistricting plan  
34 specifying the establishment of not less than four nor more than six subdistricts compact and  
35 contiguous in territory and apportioned as provided above.

36         3. In any district which shall contain a city not within a county, if four subdistricts are  
37 established, then at least one subdistrict shall be within said city, and if five or six subdistricts  
38 are established, then at least two subdistricts shall be within said city.

39         4. Any person running for election as a trustee of a subdistrict shall be domiciled and  
40 a resident therein. Any plan proposed to be adopted must receive approval of a majority of  
41 the whole redistricting committee. Upon adoption the redistricting committee shall forward a  
42 copy of the plan certified by the secretary to the coordinating board for higher education for  
43 its approval or disapproval. The coordinating board for higher education shall approve any  
44 redistricting plan in which the population of any subdistrict divided by the number of trustees  
45 to be selected therefrom substantially equals the population of any other subdistrict divided  
46 by the number of trustees to be elected therefrom. Upon approval, the redistricting plan shall  
47 become effective and all trustees elected thereafter shall be required to be elected from  
48 subdistricts in which they are resident. If the plan is not approved, then it shall be returned to  
49 the redistricting committee for revision and resubmission. Until approval of a plan by the  
50 coordinating board for higher education, trustees of a district shall continue to run at large.  
51 Upon approval of any plan, the board of trustees shall determine by resolution the assignment  
52 of trustees to subdistricts. Any such assignment shall not affect the term of office of any such  
53 trustee. Once a district has been divided into subdistricts in accordance with the provisions  
54 hereof, it shall remain so divided until one year following the publication of the decennial  
55 census figures, by which date a new plan shall have been adopted or the trustees shall again

56 be required to run in the district at large; provided, however, that if during the period between  
57 publications of decennial census figures the area of a district is increased or decreased, a new  
58 plan shall be adopted within one year thereafter or the trustees shall be required to run in the  
59 district at large. No member of the redistricting committee shall serve on the board of trustees  
60 for a period of six years following ~~his~~ **such member's** service on the redistricting  
61 committee.

62 5. Candidates for the office of trustee shall be citizens of the United States, at least  
63 twenty-one years of age, who have been voters of the district for at least one whole year  
64 preceding the election, and if trustees are elected other than at large they shall be voters of the  
65 subdistricts for at least one whole year next preceding the election. All candidates for the first  
66 board of a district shall file their declaration of candidacy with the ~~coordinating board for~~  
67 ~~higher education~~ **appropriate election authority**.

68 6. Notwithstanding the provisions of this section or any other law to the contrary, the  
69 board of trustees of the community college district in any district that contains a city not  
70 within a county shall be composed of seven members, six of whom shall each be elected to a  
71 six-year term, and one at-large member who shall be appointed to a six-year term by the  
72 coordinating board for higher education, beginning with the board election occurring  
73 immediately after August 28, 2015, subject to the following procedures:

74 (1) The appointed member shall be a citizen of the United States, at least twenty-one  
75 years of age, and a registered voter of the district for at least one year preceding the  
76 appointment;

77 (2) No member, elected or appointed, shall be an employee of such community  
78 college district;

79 (3) Whenever a vacancy occurs in the appointed member's seat due to death,  
80 resignation, removal from the district, or by operation of law or otherwise, the coordinating  
81 board for higher education shall, in a like manner, appoint a competent person to fill such  
82 vacancy and shall communicate his or her action to the board secretary of the district. Such  
83 appointed member shall hold office for the remainder of the unexpired term;

84 (4) If a board member is found by unanimous vote of the other board members to  
85 have moved his or her residence to a district other than the district from which such board  
86 member was appointed or elected, or to have violated a duly promulgated bylaw of the  
87 district, then the office of such board member shall be vacant;

88 (5) The board shall have the power to make such bylaws or ordinances, rules, and  
89 regulations as it may judge most expedient for the accomplishment of the trust reposed in it,  
90 for the government of its officers and employees, to secure its accountability, and to delegate  
91 its authority as it may deem necessary to such officers and employees or to committees  
92 appointed by the board;

93 (6) Except as specifically provided in this section, the appointment or election and  
94 term of office for members of the board, and all other duties and responsibilities of the board,  
95 shall comply with the provisions of state law regarding trustees of community college  
96 districts.

178.840. 1. After organization, the voters of the community college district shall vote  
2 for trustees and on all other propositions provided by law for submission at school elections  
3 which are applicable to community college districts. Regular elections in community college  
4 districts shall be held on municipal election days in the years in which trustees are to be  
5 elected or propositions must be voted upon.

6 2. If trustees are elected other than at large throughout the entire district, then only  
7 those voters within the subdistrict from which the trustee or trustees are to be elected shall  
8 cast their ballots for the trustee or trustees from that subdistrict. All candidates for the office  
9 of trustee shall file their declarations of candidacy with the ~~[secretary of the board of trustees]~~  
10 **appropriate election authority**.

11 3. ~~[A majority of the then qualified members of the board of trustees]~~ **The**  
12 **appropriate election authority** shall declare and certify the candidates receiving the greatest  
13 number of votes for terms of six years each and until their successors are elected and qualified  
14 and shall declare and certify the results of the votes cast on any question presented at the  
15 election.

190.050. 1. After the ambulance district has been declared organized, the declaring  
2 county commission, except in counties of the second class having more than one hundred five  
3 thousand inhabitants located adjacent to a county of the first class having a charter form of  
4 government which has a population of over nine hundred thousand inhabitants, shall divide  
5 the district into six election districts as equal in population as possible, and shall by lot  
6 number the districts from one to six inclusive. The county commission shall cause an election  
7 to be held in the ambulance district within ninety days after the order establishing the  
8 ambulance district to elect ambulance district directors. Each voter shall vote for one director  
9 from the ambulance election district in which the voter resides. The directors elected from  
10 districts one and four shall serve for a term of one year, the directors elected from districts  
11 two and five shall serve for a term of two years, and the directors from districts three and six  
12 shall serve for a term of three years; thereafter, the terms of all directors shall be three years.  
13 All directors shall serve the term to which they were elected or appointed, and until their  
14 successors are elected and qualified, except in cases of resignation or disqualification. The  
15 county commission shall reapportion the ambulance districts within sixty days after the  
16 population of the county is reported to the governor for each decennial census of the United  
17 States. Notwithstanding any other provision of law, if the number of candidates for the office  
18 of director is no greater than the number of directors to be elected, no election shall be held,

19 and the candidates shall assume the responsibilities of their offices at the same time and in the  
20 same manner as if they have been elected.

21         2. In all counties of the second class having more than one hundred five thousand  
22 inhabitants located adjacent to a county of the first class having a charter form of government  
23 which has a population of over nine hundred thousand inhabitants, the voters shall vote for six  
24 directors elected at large from within the district for a term of three years. Those directors  
25 holding office in any district in such a county on August 13, 1976, shall continue to hold  
26 office until the expiration of their terms, and their successors shall be elected from the district  
27 at large for a term of three years. In any district formed in such counties after August 13,  
28 1976, the governing body of the county shall cause an election to be held in that district  
29 within ninety days after the order establishing the ambulance district to elect ambulance  
30 district directors. Each voter shall vote for six directors. The two candidates receiving the  
31 highest number of votes at such election shall be elected for a term of three years, the two  
32 candidates receiving the third and fourth highest number of votes shall be elected for a term of  
33 two years, the two candidates receiving the fifth and sixth highest number of votes shall be  
34 elected for a term of one year; thereafter, the term of all directors shall be three years.

35         3. A candidate for director of the ambulance district shall, at the time of filing, be a  
36 citizen of the United States, a qualified voter of the election district as provided in subsection  
37 1 of this section, a resident of the district for two years next preceding the election, and shall  
38 be at least twenty-four years of age. ~~[In an established district which is located within the~~  
39 ~~jurisdiction of more than one election authority, the candidate shall file his or her declaration~~  
40 ~~of candidacy with the secretary of the board. In all other districts, a]~~ **Each** candidate shall file  
41 a declaration of candidacy with the ~~[county clerk of the county in which he or she resides]~~  
42 **appropriate election authority**. A candidate shall file a statement under oath that he or she  
43 possesses the required qualifications. No candidate's name shall be printed on any official  
44 ballot unless the candidate has filed a written declaration of candidacy pursuant to subsection  
45 5 of section 115.127. If the time between the county commission's call for a special election  
46 and the date of the election is not sufficient to allow compliance with subsection 5 of section  
47 115.127, the county commission shall, at the time it calls the special election, set the closing  
48 date for filing declarations of candidacy.

198.280. 1. After the nursing home district has been declared organized, the  
2 declaring county commission shall either:

3         (1) Divide the district into six election districts as equal in population as possible, and  
4 shall by lot number the districts from one to six, inclusive. The county commission shall  
5 cause an election to be held in the nursing home district within ninety days after the order  
6 establishing the nursing home district to elect nursing home district directors. The election



7 shall be called, held and conducted and notice shall be given as provided in sections 198.240  
8 to 198.270, and each voter shall vote for the director from his or her district; or

9 (2) Cause an election to be held in the nursing home district within ninety days after  
10 the order establishing the nursing home district to elect six at-large nursing home district  
11 directors. The election shall be called, held and conducted and notice shall be given as  
12 provided in sections 198.240 to 198.270.

13

14 After August 28, 1994, directors shall be elected for a term of three years. The first director  
15 whose term expires after August 28, 1994, shall continue to hold office until the expiration of  
16 the term of the second director whose term expires after August 28, 1994, at which time both  
17 such directors shall be elected for a term of three years. The third director whose term expires  
18 after August 28, 1994, shall continue to hold office until the expiration of the term of the  
19 fourth director whose term expires after August 28, 1994, at which time both such directors  
20 shall be elected for a term of three years. The fifth director whose term expires after August  
21 28, 1994, shall continue to hold office until the expiration of the term of the sixth director  
22 whose term expires after August 28, 1994, at which time both such directors shall be elected  
23 for a term of three years. All directors shall serve until their successors are elected and  
24 qualified. If a vacancy occurs, the board shall select a successor who shall serve until the next  
25 regular election of a director is to be held in that nursing home or election district. If no  
26 candidate files a declaration of candidacy for a nursing home or election district, a majority of  
27 the board of directors may, after the election in that nursing home or election district would  
28 have regularly been held, appoint any resident of the nursing home district who otherwise  
29 qualifies pursuant to subsection 3 of this section to fill that vacancy.

30 2. Following the initial election establishing the nursing home district board of  
31 directors pursuant to subsection 1 of this section, the circuit court may choose to elect the  
32 board of directors at large.

33 3. Candidates for director of the nursing home district shall be citizens of the United  
34 States, resident taxpayers of the nursing home district who have resided within the state for  
35 one year next preceding the election and who are at least twenty-four years of age. All  
36 candidates shall file their declarations of candidacy with the ~~county commission calling the~~  
37 ~~election]~~ **appropriate election authority** at least twenty days prior to the special election.

38 4. Notwithstanding any other provisions of law to the contrary, if the number of  
39 candidates for the office of director is equal to the number of directors to be elected, no  
40 election shall be held, and the candidates shall assume the responsibility of their offices at the  
41 same time and in the same manner as if they have been elected; however, if any vacancies are  
42 created after local certification and prior to the deadline provided in subdivision (4) of section  
43 115.453 which cause the number of filed candidates to be less than the number of vacancies to

44 be filled, an election shall be held, and write-in candidates for such positions shall be eligible  
45 as otherwise provided by law.

206.090. 1. After the hospital district has been declared organized, the declaring  
2 county commission shall divide the district into six election districts as equal in population as  
3 possible, and shall by lot number the districts from one to six inclusive. The county  
4 commission shall cause an election to be held in the hospital district within ninety days after  
5 the order establishing the hospital district to elect hospital district directors. Each voter shall  
6 vote for six directors, one from each district, except in any county of the third classification  
7 without a township form of government and with more than ten thousand six hundred but  
8 fewer than ten thousand seven hundred inhabitants, each voter shall vote for one director from  
9 the hospital election district in which the voter resides. Directors shall serve a term of six  
10 years or a lesser term of years as may be established by the county commission. If directors  
11 are to serve a term of six years, the initial term of the director elected from district number  
12 one shall serve a term of one year, the director elected from district number two shall serve a  
13 term of two years, the director elected from district number three shall serve a term of three  
14 years, the director elected from district number four shall serve a term of four years, the  
15 director elected from district number five shall serve a term of five years, and the director  
16 elected from district number six shall serve a term of six years; thereafter, the terms of all  
17 directors shall be six years. If the county commission chooses to establish a term of office of  
18 less than six years, the initial election of directors shall be done in a manner established by the  
19 county commission. All directors shall serve until their successors are elected and qualified.  
20 Any vacancy shall be filled by the remaining members of the board of directors who shall  
21 appoint a person to serve as director until the next municipal election.

22 2. Candidates for director of the hospital district shall be citizens of the United States,  
23 voters of the hospital district who have resided within the state for one year next preceding the  
24 election and who are at least thirty years of age. All candidates shall file their declaration of  
25 candidacy with the ~~[county commission calling the election for the organizational election,~~  
26 ~~and for subsequent elections, with the secretary of the board of directors of the district]~~  
27 **appropriate election authority.**

28 3. Notwithstanding any other provisions of law, if the number of candidates for office  
29 of director is no greater than the number of directors to be elected, no election shall be held,  
30 and the candidates shall assume the responsibilities of their offices at the same time and in the  
31 same manner as if they had been elected.

32 4. Notwithstanding the provisions of subsections 1 to 3 of this section, after the  
33 formation of the hospital district, the hospital board of directors, by a majority vote of the  
34 directors with the consent of a majority of the county commission on an order of record, may  
35 abolish the six hospital districts' election districts and cause the hospital district directors to be

36 elected from the hospital district at large. Upon opting to elect the hospital district directors at  
37 large, the then-serving hospital district directors shall continue to serve the remainder of their  
38 terms and any vacancies on the board, after the date of such option, shall be filled by an  
39 election conducted at large in the district.

247.217. 1. Any two or more contiguous public water supply districts organized  
2 under the provisions of sections 247.010 to 247.220 may be consolidated into a single district  
3 by a decree of the circuit court in which the district with the largest acreage was originally  
4 incorporated and organized.

5 2. Proceedings for consolidation of such districts shall be substantially as follows:  
6 The board of directors of each of the districts to be consolidated shall authorize, by resolution  
7 passed at a regular meeting or a special meeting called for such purpose, its president, on  
8 behalf of the district, to petition the circuit court having jurisdiction for consolidation with  
9 any one or more other contiguous public water supply districts.

10 3. Such petition shall be filed in the circuit court having jurisdiction and the court  
11 shall set a date for a hearing thereon and the clerk shall give notice thereof in some newspaper  
12 of general circulation in each county in which each of the districts proposed to be  
13 consolidated is located.

14 4. Such notice shall be substantially as follows:

15 IN THE CIRCUIT COURT OF \_\_\_\_\_ COUNTY, MISSOURI

16 NOTICE OF THE FILING OF A PETITION

17 FOR CONSOLIDATION OF

18 PUBLIC WATER SUPPLY DISTRICT NO. \_\_\_\_\_,

19 OF \_\_\_\_\_ COUNTY, MISSOURI, AND

20 PUBLIC WATER SUPPLY DISTRICT NO. \_\_\_\_\_,

21 OF \_\_\_\_\_ COUNTY, MISSOURI

22 (Additional districts may be named as required.)

23 To all voters, landowners, and interested persons within the boundaries  
24 of the above-described public water supply districts:

25 You are hereby notified:

- 26 1. That a petition has been filed in this court for the consolidation of  
27 the above-named public water supply districts into one public  
28 water supply district, as provided by law.
- 29 2. That a hearing on said petition will be held before this court on  
30 the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, \_\_\_\_\_m.
- 31 3. Exceptions or objections to the consolidation of said districts  
32 may be made by any voters or landowners of any of such districts  
33 proposed to be consolidated, provided such exceptions or

34 objections are filed in writing not less than five days prior to the  
35 date set for the hearing on the petition.

36 4. The names and addresses of the attorneys for the petitioner are:

37

38

\_\_\_\_\_  
Clerk of the Circuit Court of

39

\_\_\_\_\_  
County, Missouri

40

41 5. The notice shall be published in three consecutive issues of a weekly newspaper in  
42 each county in which any portion of any district proposed to be consolidated lies, or in lieu  
43 thereof, in twenty consecutive issues of a daily newspaper in each county in which any  
44 portion of any district proposed to be consolidated lies; the last insertion of such notice to be  
45 made not less than seven nor more than twenty-one days before the hearing.

46 6. The court, for good cause shown, may continue the case or the hearing thereon  
47 from time to time until final disposition thereof.

48 7. Exceptions or objections to the consolidation of such districts may be made by any  
49 voter or landowner within the boundaries of the proposed district. The exceptions or  
50 objections shall be in writing and shall specify the grounds upon which the same are made  
51 and shall be filed not later than five days before the date set for hearing the petition. If any  
52 such exceptions or objections are filed, the court shall take them into consideration in passing  
53 upon the petition for consolidation and shall also consider the evidence in support of the  
54 petition. If the court finds that the consolidation will provide for the rendering of necessary  
55 water service in the districts, and is in the best interest of the voters and the landowners of the  
56 district, it shall, by its decree, approve such consolidation. The decree of consolidation shall  
57 set an effective date for the consolidation of the districts and shall provide that the proposed  
58 consolidated district shall be divided into five subdistricts and shall fix boundary lines of each  
59 subdistrict, all of which subdistricts shall have approximately the same area and shall be  
60 numbered.

61 8. The decree of consolidation shall not become final and conclusive until it has been  
62 submitted to voters in each of the districts proposed to be included in the consolidated district.

63 9. If, upon canvass and declaration of the results, it is found and determined that the  
64 question has been assented to by a majority of the voters of each district voting on the  
65 question, the court shall issue its order declaring the results of the elections, declaring its  
66 previous decree of consolidation to be final and conclusive, and in addition, the decree shall  
67 provide for an election of a director from each of the subdistricts set forth in the decree of the  
68 court as specified in subsection 7 of this section. The terms of office for the directors elected  
69 at such election shall be as follows: The director elected from the subdistrict designated by  
the circuit court as number one shall serve until the next regular election, or until ~~his~~ a

70 successor has been elected and qualified; those directors elected from the subdistricts  
71 designated by the circuit court as numbers two and three shall serve until the regular election  
72 following the next regular election or until their successors have been elected and qualified;  
73 those directors elected from the subdistricts designated by the circuit court as numbers four  
74 and five shall serve until the annual regular election following the next two regular elections,  
75 or until their successors have been elected and qualified. Thereafter all directors shall be  
76 elected as provided by sections 247.010 to 247.220. The election shall be held at least thirty  
77 days before the effective date of the consolidation. The returns shall be certified by the  
78 judges and clerks of election to the circuit court having jurisdiction and the court shall  
79 thereupon enter its order naming the directors from each subdistrict.

80 10. The eligibility and requirements for a director for a consolidated district shall be  
81 identical with those set forth in section 247.060 and no two members of the board shall reside  
82 in the same subdistrict. Any candidate shall have ~~[his]~~ **such candidate's** name imprinted  
83 upon the ballot, provided ~~[he]~~ **such candidate** shall file a declaration of intention to become  
84 such a candidate with the ~~[clerk of the circuit court]~~ **appropriate election authority**.

85 11. In its final decree, the court shall designate a name for the consolidated district  
86 which shall be as follows: Consolidated Public Water Supply District No. \_\_\_\_\_, of \_\_\_\_\_  
87 County, Missouri.

88 12. On the effective date of the consolidation of the districts, the newly elected  
89 directors shall organize in the same manner as is provided in sections 247.010 to 247.220, and  
90 all of such provisions shall apply to consolidated public water supply districts in the same  
91 manner as to other public water supply districts.

92 13. At the time of the effective date of the consolidation, all the property of the  
93 original districts shall be combined and administered as one unit, which shall be subject to the  
94 liens, liabilities and obligations of the original districts, provided that if any district included  
95 in the consolidated district has issued general obligation bonds which are outstanding at the  
96 time of the consolidation, any taxes to be levied to pay the bonds and interest thereon shall be  
97 levied only upon the property within the original district issuing the bonds as it existed on the  
98 date of such issuance. All special obligation or revenue bonds issued by any district included  
99 in the consolidated district shall be paid in accordance with the terms thereof, without  
100 preference, from the revenue received by the consolidated district.

101 14. A certified copy of the decrees of the court shall be filed in the office of the  
102 recorder and in the office of the county clerk in each county in which any part of the  
103 consolidated district is located, and in the office of the secretary of state. Such copies shall be  
104 filed by the clerk of the circuit court and the filing fees shall be taxed as costs.

249.140. 1. Any candidate for the office of trustee in the district shall be an American  
2 citizen over the age of twenty-five years and shall have been a resident within the county

3 within which the district is situated for more than four whole years next before the date of the  
4 election at which ~~[he]~~ **such person** is a candidate and shall be a voter of the district. Any  
5 person desiring to become a candidate for the office of trustee at the election held on the  
6 original incorporation of the district, as provided in section 249.070, shall file with the  
7 ~~[county commission or with the election commissioners]~~ **appropriate election authority** a  
8 statement, under oath, that ~~[he]~~ **such person** possesses the qualifications required by sections  
9 249.010 to 249.420 for trustee and shall pay a filing fee of five dollars, whereupon ~~[his]~~ **such**  
10 **person's** name shall be placed on the ballot as candidate for trustee. Any person desiring to  
11 become a candidate for the office of trustee in any subsequent election shall file such  
12 statement, under oath, with and pay such filing fee to the ~~[secretary of the board of trustees]~~  
13 **appropriate election authority**, whereupon ~~[his]~~ **such person's** name shall be placed on the  
14 ballot as candidate for the office of trustee.

15         2. At such initial election the candidate who receives the highest number of votes  
16 shall be elected for a six-year term as trustee; the candidate who receives the second highest  
17 number of votes shall be elected for a four-year term as trustee; the candidate who receives  
18 the third highest number of votes shall be elected for a two-year term as trustee.

19         3. After ~~[his]~~ **such person's** election each trustee shall take and subscribe ~~[his]~~ **an**  
20 oath or affirmation before the clerk of the circuit court to the effect that ~~[he]~~ **such person** is  
21 qualified to act as trustee under the provisions of sections 249.010 to 249.420 and that ~~[he]~~  
22 **such person** will perform ~~[his]~~ **such person's** duties as such trustee to the best of ~~[his]~~ **such**  
23 **person's** ability and impartially in the interest of the whole district.

257.170. 1. Candidates for election to the board of trustees shall file their  
2 declarations of candidacy with the ~~[secretary of the board of trustees or in the case of the first~~  
3 ~~election, the filing shall be in like manner with the secretary of the]~~ **appropriate** election  
4 authority. The declaration of candidacy shall set forth the candidate's qualifications as  
5 provided herein.

6         2. The ballots shall not designate the candidates' parties.

7         3. At least a majority of the then qualified members of the board of trustees or of the  
8 election district commission, as the case might be, shall jointly tabulate the results received  
9 and shall certify the candidates receiving the greatest number of votes for the respective terms  
10 of office and until their successors have been elected and qualified. In the case of the election  
11 district commission executing its duties hereunder, the secretary thereof shall forthwith send  
12 to the court, by registered mail, one complete copy of all returns.

321.130. A person, to be qualified to serve as a director, shall be a resident and voter  
2 of the district for at least one year before the election or appointment and be over the age of  
3 twenty-four years. In the event the person is no longer a resident of the district, the person's  
4 office shall be vacated, and the vacancy shall be filled as provided in section 321.200.

5 Nominations and declarations of candidacy shall be filed ~~[at the headquarters of the fire~~  
6 ~~protection district]~~ **with the appropriate election authority** by paying a filing fee equal to  
7 the amount of a candidate for county office as set forth under section 115.357, and filing a  
8 statement under oath that such person possesses the required qualifications. Thereafter, such  
9 candidate shall have the candidate's name placed on the ballot as a candidate for director.

321.210. On the first Tuesday in April after the expiration of at least two full calendar  
2 years from the date of the election of the first board of directors, and on the first Tuesday in  
3 April every two years thereafter, an election for members of the board of directors shall be  
4 held in the district. Nominations shall be filed ~~[at the headquarters of the fire protection~~  
5 ~~district in which a majority of the district is located]~~ **with the appropriate election authority**  
6 by paying a filing fee equal to the amount of a candidate for county office as set forth under  
7 section 115.357 and filing a statement under oath that the candidate possesses the required  
8 qualifications. The candidate receiving the most votes shall be elected. Any new member of  
9 the board shall qualify in the same manner as the members of the first board qualify.

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