

HOUSE AMENDMENT NO. ____
TO
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Offered By

AMEND House Amendment No. ____ to House Committee Substitute for House Bill No. 1858,
Page 1, Line 4, by deleting all of the said line and inserting in lieu thereof the following:

""162.005. 1. As used in this section, "school board" means a special administrative board or any other form of governance appointed under section 162.081; a board of directors established under section 162.471; a board of education established under section 162.261, 162.571, or 162.855; the governing board of a charter school established under section 160.400; and any other form of governance over a school district established under state law.

2. Before July 1, 2023, each school board shall adopt a school board meeting speaker policy to ensure that the requirements listed in this subsection are followed at each school board meeting:

(1) Each school board shall designate a time for public comment at the beginning of each regular public meeting of the school board. Such public comment period shall be available to residents of the district and shall be subject to reasonable rules requiring decorum and civility in the meeting space;

(2) A school board may set a time limit on any individual who desires to speak at a school board meeting. Each such time limit shall designate not less than three minutes per speaker. The school board may limit the public comment period to one hour of actual testimony or twenty speakers, whichever is less based on the number of minutes designated per speaker. If the time designated for the public comment period expires and additional speakers were not afforded the time to speak, such additional speakers shall have the first opportunity to speak at the public comment period of the next regular public meeting of the school board and the school board shall provide an alternate method of communicating such additional speakers' concerns to the school board;

(3) Each school board shall determine specific identifying information each individual desiring to speak shall provide to the school board before speaking;

(4) Each school board may determine that particular issues are inappropriate for individuals to speak about during such public comment period including, but not limited to, personnel issues and litigation issues. Any guideline prohibiting particular issues from being addressed during such public comment period shall be made available to the public in writing before each public comment

Action Taken _____ Date _____

1 period begins;

2 (5) No school board shall ban an individual from attending or remove an individual from
3 participating in a school board meeting unless such individual is banned or removed because such
4 individual commits the offense of peace disturbance as provided in section 574.010, has previously
5 been removed from a school board meeting and issued a summons for the offense of peace
6 disturbance under section 574.010, or is prohibited from being on school property under state law;
7 and

8 (6) Each school board shall provide a method for an individual who is unable to attend the
9 public comment period of a school board meeting to submit a written statement. Any such written
10 statement submitted before the beginning of the school board meeting shall be provided to the
11 school board and made available to all individuals attending such meeting and to the public upon
12 request unless such written statement violates the policies or rules established for the public
13 comment period.

14 3. If multiple speakers desire to speak on the same issue during the public comment period,
15 the school board may suggest that the speakers select one individual to present comments on behalf
16 of all such speakers.

17 4. Parents may bring a civil action for injunctive relief against the school district or public
18 school in which their child is enrolled if such school district or public school violates this section.
19 Such action shall be brought in the county where the violation occurred. If a court finds that the
20 school district or public school has knowingly engaged in multiple or repeated violations of this
21 section, the department of elementary and secondary education shall withhold all moneys provided
22 by monthly distribution of state formula funding to such school district or public school until such
23 school district or public school is in compliance with this section. After the school district or public
24 school provides evidence that such school district or public school is in compliance with this
25 section, the department shall restore the distribution of the funding to its original amount before the
26 distribution was withheld. Any moneys that were withheld under this subsection shall be released to
27 such school district or public school only if such school district or public school establishes
28 compliance with this section in the same school year in which the department withheld such
29 moneys.

30 170.231. 1. The school board of each school district and the governing board of each"; and
31

32 Further amend said bill by amending the title, enacting clause, and intersectional references
33 accordingly.
34

35 THIS AMENDS AMENDMENT 4070H03.04H