

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 253, Page 1, Section A, Line 2, by inserting after said section and line the
2 following:

3
4 "162.261. 1. The government and control of a seven-director school district, other than an
5 urban district, is vested in a board of education of seven members, who hold their office for three
6 years, except as provided in section 162.241, and until their successors are duly elected and
7 qualified. Any vacancy occurring in the board shall be filled by the remaining members of the
8 board; except that if there are more than two vacancies at any one time, the county commission
9 upon receiving written notice of the vacancies shall fill the vacancies by appointment. If there are
10 more than two vacancies at any one time in a county without a county commission, the county
11 executive upon receiving written notice of the vacancies shall fill the vacancies, with the advice and
12 consent of the county council, by appointment. The person appointed shall hold office until the next
13 municipal election, when a director shall be elected for the unexpired term.

14 2. No seven-director, urban, or metropolitan school district board of education shall hire a
15 spouse of any member of such board for a vacant or newly created position unless the position has
16 been advertised pursuant to board policy and the superintendent of schools submits a written
17 recommendation for the employment of the spouse to the board of education. The names of all
18 applicants as well as the name of the applicant hired for the position ~~[are to]~~ shall be included in the
19 board minutes.

20 3. The provisions of Article VII, Section 6 of the Missouri Constitution apply to school
21 districts.

22 4. (1) Any seven-director school district may divide into subdistricts and provide for the
23 election of subdistrict board members as provided in this subsection.

24 (2) (a) Before December first of the calendar year immediately preceding the general
25 municipal election day in the calendar year in which a vote to divide the school district into
26 subdistricts will be held, the election authority of the county in which the school district is located
27 shall divide the school district into seven subdistricts of contiguous and compact territory and as
28 nearly equal in population as practicable. Within six months after each decennial census is reported
29 to the President of the United States, the election authority shall reapportion the subdistricts to be as
30 nearly equal in population as practicable. The subdistricts shall be numbered from one upward
31 consecutively, and as much as practicable the numbers shall be retained upon reapportionment.
32 After the election authority divides the school district or reapportions the subdistricts, the election
33 authority shall notify the residents of the school district as provided by law.

34 (b) Any resident of the school district who believes the election authority has divided the
35 school district or reapportioned the subdistricts in violation of paragraph (a) of this subdivision may
36 petition the circuit court of the county in which the school district exists for an order directing the

Action Taken _____ Date _____

1 election authority to divide the school district or reapportion the subdistricts as provided in
2 paragraph (a) of this subdivision. The petition shall be submitted to the circuit court within ten
3 business days of the election authority's notice provided under paragraph (a) of this subdivision.

4 (3) On the first day available for candidate filing for the first general municipal election day
5 occurring after the subdistricts are created under this subsection, any qualified resident who has or
6 will have resided in the subdistrict for the year immediately preceding the general municipal
7 election day may file as a candidate for election to a subdistrict of the school board. At the end of
8 the time available for candidate filing, if no qualified resident of a subdistrict has filed as a
9 candidate in that subdistrict, the election authority shall extend the time for candidate filing by seven
10 additional days, and any qualified resident of the school district who has or will have resided in the
11 school district for the year immediately preceding the general municipal election day may file as a
12 candidate for election to that subdistrict of the school board. The election authority shall determine
13 the validity of all declarations of candidacy.

14 (4) When the election is held on the general municipal election day, the seven candidates,
15 one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that
16 subdistrict shall be elected. Any candidate who is not a subdistrict resident but qualifies as a
17 candidate as a school district resident under subdivision (3) of this subsection shall be elected by the
18 voters of the school district. The three members representing subdistricts 2, 4, and 6 of the
19 subdivided school district shall be elected to an initial term of two years, and the remaining four
20 members representing subdistricts 1, 3, 5, and 7 of the subdivided school district shall be elected to
21 an initial term of three years. Each term thereafter shall be a three-year term.

22 (5) Each member shall serve until a successor is elected or the member vacates the office.
23 Any vacancy that occurs before the end of the member's term shall be filled as provided in this
24 section.

25 (6) Except for a member who is not a subdistrict resident but is elected as a school district
26 resident to represent a subdistrict under subdivision (3) of this subsection, each member shall reside
27 in the subdistrict the member represents during the member's term.

28 (7) All other provisions applicable to seven-director school districts that are not in conflict
29 with this subsection shall apply to school districts divided into subdistricts under this subsection.

30 5. If any seven-director school district receives a petition, signed by at least ten percent of
31 the number of registered voters of the school district voting in the last school board election, calling
32 for an election to subdivide the school district into subdistricts and provide for the election of
33 subdistrict board members as provided in subsection 4 of this section, the school district shall
34 immediately notify the election authority of the county in which the school district is located to
35 begin the process described in subsection 4 of this section.

36 162.281. Except as provided in subsection 4 of section 162.261, in all seven-director
37 districts, including urban districts, when directors are to be elected for terms of different lengths,
38 each candidate shall declare for a term of a specific number of years and the different terms shall be
39 voted upon as separate propositions.

40 162.291. Except as provided in subsection 4 of section 162.261, the voters of each seven-
41 director district other than urban districts shall, at municipal elections, elect two directors who are
42 citizens of the United States and resident taxpayers of the district, who have resided in this state for
43 one year next preceding their election or appointment, and who are at least twenty-four years of age.

44 162.471. 1. The government and control of an urban school district is vested in a board of
45 seven directors.

46 2. Except as provided in subsection 3 of this section, each director shall be a voter of the
47 district who has resided within this state for one year next preceding [his] the director's election or
48 appointment and who is at least twenty-four years of age. All directors, except as otherwise
49 provided in section 162.481 and section 162.492, hold their offices for six years and until their

1 successors are duly elected and qualified. All vacancies occurring in the board, except as provided
2 in section 162.492, shall be filled by appointment by the board as soon as practicable, and the person
3 appointed shall hold [his] office until the next school board election, when [his] a successor shall be
4 elected for the remainder of the unexpired term. The power of the board to perform any official
5 duty during the existence of a vacancy continues unimpaired thereby.

6 3. (1) Except as provided in section 162.492, any urban school district may divide into
7 subdistricts and provide for the election of subdistrict board directors as provided in this subsection.

8 (2) (a) Before December first of the calendar year immediately preceding the general
9 municipal election day in the calendar year in which a vote to divide the school district into
10 subdistricts will be held, the election authority of the county in which the school district is located
11 shall divide the school district into seven subdistricts of contiguous and compact territory and as
12 nearly equal in population as practicable. Within six months after each decennial census is reported
13 to the President of the United States, the election authority shall reapportion the subdistricts to be as
14 nearly equal in population as practicable. The subdistricts shall be numbered from one upward
15 consecutively, and as much as practicable the numbers shall be retained upon reapportionment.
16 After the election authority divides the school district or reapportions the subdistricts, the election
17 authority shall notify the residents of the school district as provided by law.

18 (b) Any resident of the school district who believes the election authority has divided the
19 school district or reapportioned the subdistricts in violation of paragraph (a) of this subdivision may
20 petition the circuit court of the county in which the school district exists for an order directing the
21 election authority to divide the school district or reapportion the subdistricts as provided in
22 paragraph (a) of this subdivision. The petition shall be submitted to the circuit court within ten
23 business days of the election authority's notice provided under paragraph (a) of this subdivision.

24 (3) On the first day available for candidate filing for the first general municipal election day
25 occurring after the subdistricts are created under this subsection, any qualified resident who has or
26 will have resided in the subdistrict for the year immediately preceding the general municipal
27 election day may file as a candidate for election to a subdistrict of the school board. At the end of
28 the time available for candidate filing, if no qualified resident of a subdistrict has filed as a
29 candidate in that subdistrict, the election authority shall extend the time for candidate filing by seven
30 additional days, and any qualified resident of the school district who has or will have resided in the
31 school district for the year immediately preceding the general municipal election day may file as a
32 candidate for election to that subdistrict of the school board. Candidates may be nominated as
33 provided by section 162.491. The election authority shall determine the validity of all declarations
34 of candidacy.

35 (4) When the election is held on the general municipal election day, the seven candidates,
36 one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that
37 subdistrict shall be elected. Any candidate who is not a subdistrict resident but qualifies as a
38 candidate as a school district resident under subdivision (3) of this subsection shall be elected by the
39 voters of the school district. The three directors representing subdistricts 2, 4, and 6 of the
40 subdivided school district shall be elected to an initial term of five years, and the remaining four
41 directors representing subdistricts 1, 3, 5, and 7 of the subdivided school district shall be elected to
42 an initial term of six years. Each term thereafter shall be a six-year term.

43 (5) Each director shall serve until a successor is elected or the director vacates the office.
44 Any vacancy that occurs before the end of the director's term shall be filled as provided in this
45 section.

46 (6) Except for a director who is not a subdistrict resident but is elected as a school district
47 resident to represent a subdistrict under subdivision (3) of this subsection, each director shall reside
48 in the subdistrict the director represents during the director's term.

49 (7) All other provisions applicable to urban school districts that are not in conflict with this

1 subsection shall apply to school districts divided into subdistricts under this subsection.

2 4. If any urban school district receives a petition, signed by at least ten percent of the
 3 number of registered voters of the school district voting in the last school board election, calling for
 4 an election to subdivide the school district into subdistricts and provide for the election of subdistrict
 5 board directors as provided in subsection 3 of this section, the school district shall immediately
 6 notify the election authority of the county in which the school district is located to begin the process
 7 described in subsection 3 of this section."; and

8
 9 Further amend said bill and page, Section 162.481, Line 1, by deleting said line and inserting in lieu
 10 thereof the following:

11
 12 "162.481. 1. Except as otherwise provided in section 162.471, this section, and [~~in~~] section
 13 162.492, all"; and

14
 15 Further amend said bill and section, Page 3, Line 84, by inserting after said section and line the
 16 following:

17
 18 "162.491. 1. Directors for urban school districts, other than those districts containing the
 19 greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition
 20 to be filed with the secretary of the board and signed by a number of voters in the district equal to
 21 ten percent of the total number of votes cast for the director receiving the highest number of votes
 22 cast at the next preceding biennial election, except as provided in subsection 4 of this section.

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

26 3. A director for any urban school district containing a city of greater than one hundred
 27 thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an
 28 independent candidate by filing with the secretary of the board a petition signed by five hundred
 29 registered voters of such school district.

30 4. In any urban school district located in a county of the first classification with more than
 31 eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with
 32 more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, a
 33 candidate for director shall file a declaration of candidacy with the secretary of the board and shall
 34 not be required to submit a petition.

35 5. No candidate for election as a school board director representing a subdistrict under
 36 subsection 3 of section 162.471 shall be required to file a declaration of candidacy under this section
 37 as the sole method of filing for candidacy."; and

38
 39 Further amend said bill by amending the title, enacting clause, and intersectional references
 40 accordingly.