

SECOND REGULAR SESSION

# HOUSE BILL NO. 1080

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BEARDEN, MOORE (Co-sponsors), DOLAN, SECREST,  
REINHART, HENDERSON, CUNNINGHAM AND WALTON.

Pre-filed December 3, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2614L.011

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### AN ACT

To amend chapter 162, RSMo, by adding thereto one new section relating to recall elections for school board members.

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

Section A. Chapter 162, RSMo, is amended by adding thereto one new section, to be  
2 known as section 162.014, to read as follows:

162.014. 1. In addition to the recall procedures provided in section 160.538, a  
2 school board member in any school district may be removed by the voters in a recall  
3 election. Such election shall be held upon the submission of a petition signed by voters of  
4 the district equal in number to at least twenty-five percent of the number of persons voting  
5 at the last preceding election to elect a district board member. The petition shall be filed  
6 with the election authority and the secretary of the district board of education, and the  
7 petition shall contain a general statement of the grounds for which the removal is sought.  
8 The signatures to the petition need not all be appended to one paper, but each signer shall  
9 add to his or her signature his or her place of residence, giving the street and number. One  
10 of the signers of each paper shall make oath before an officer competent to administer  
11 oaths that the statements made on the paper are true as he or she believes and that each  
12 signature to the paper appended is the genuine signature of the person whose name it  
13 purports to be.

14 2. Within ten days from the date of the filing of the petition, the election authority  
15 shall examine and ascertain whether the petition is signed by the requisite number of  
16 voters. The election authority shall attach to the petition his or her certificate, showing the  
17 result of the examination. If the petition is shown to be insufficient, it may be amended  
18 within ten days from the date of the certificate. The election authority shall, within ten

19 days after such amendment, make like examination of the amended petition and, if his or  
20 her certificate shall show the amended petition to be insufficient, it shall be returned to the  
21 person filing the amended petition, without prejudice to the filing of a new petition to the  
22 same effect. If the petition shall be deemed to be sufficient, the election authority shall  
23 submit the petition to the district board without delay. If the petition shall be found to be  
24 sufficient, the district board shall order the question to be submitted to the voters of the  
25 district.

26       3. If a majority of the voters vote in favor of retaining the member, the member  
27 shall remain in office and shall not be subject to another recall election during his or her  
28 term of office, except as provided in subsection 2 of section 160.538. If a majority of voters  
29 vote to remove the member, his or her successor shall be chosen as provided in section  
30 162.261, RSMo.