

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 258
97TH GENERAL ASSEMBLY

1317H.04C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 162.459, 162.471, and 162.492, RSMo, and to enact in lieu thereof three new sections relating to the board of directors of the Kansas City school district.

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

Section A. Sections 162.459, 162.471, and 162.492, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 162.459, 162.471, and 162.492, to read as follows:

162.459. 1. Notwithstanding other provisions of law to the contrary, the school board of each school district designated in the statutes as a seven-director, seven-director or urban school district[, except an urban district containing the greater part of a city of more than three hundred thousand inhabitants,] shall consist of seven members. At the first election for members of the school board in each of such districts after January 1, 1993, and each three years thereafter, three members of the school board shall be elected; except, no school district composed of seven members as of January 1, 1993, shall be required to modify its schedule of electing board members.

2. Provisions of law applicable to seven-director, seven-director and urban school districts, except those which conflict with the provisions of this section, shall apply to and govern the school districts designated in subsection 1 of this section.

162.471. The government and control of an urban school district is vested in a board of seven directors[, except that in urban districts containing the greater part of a city of more than three hundred thousand inhabitants the board shall be composed of nine directors]. Each director shall be a voter of the district, who has resided within this state for one year next preceding his election or appointment and who is at least twenty-four years of age. All directors, except as

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.

6 otherwise provided in section 162.481 **and section 162.492**, hold their offices for six years and
7 until their successors are duly elected and qualified. All vacancies occurring in the board, **except**
8 **as provided in section 162.492**, shall be filled by appointment by the board as soon as
9 practicable, and the person appointed shall hold his office until the next school board election,
10 when his successor shall be elected for the remainder of the unexpired term. The power of the
11 board to perform any official duty during the existence of a vacancy continues unimpaired
12 thereby.

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 terms of the members of the board
3 of directors in office in 1967 shall continue until the end of the respective terms to which each
4 of them has been elected to office and in each case thereafter until the next school election be
5 held and until their successors, then elected, are duly qualified as provided in this section.

6 2. In each urban district designated in subsection 1], the election authority of the city in
7 which the greater portion of the school district lies, and of the county if the district includes
8 territory not within the city limits, shall serve ex officio as a redistricting commission. The
9 commission shall on or before November 1, [1969] **2018**, divide the school district into [six] **five**
10 subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in the
11 number of inhabitants as practicable and thereafter the board shall redistrict the district into
12 subdivisions as soon as practicable after each United States decennial census. In establishing the
13 subdistricts each member shall have one vote and a majority vote of the total membership of the
14 commission is required to make effective any action of the commission.

15 [3.] **2.** School elections for the election of directors shall be held on municipal election
16 days in [each even-numbered year. At the election in 1970, one member of the board of directors
17 shall be elected by the voters of each subdistrict. The seven candidates, one from each of the
18 subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict shall be
19 elected and the at-large candidate receiving a plurality of the at-large votes shall be elected] **2014**
20 **and 2016. At the election in 2014, directors shall be elected to hold office until 2019 and**
21 **until their successors are elected and qualified. At the election in 2016, directors shall be**
22 **elected until 2019 and until their successors are elected and qualified. Beginning at the**
23 **election for school directors in 2019, the number of directors on the board shall be reduced**
24 **from nine to seven. Two directors shall be at-large directors and five directors shall**
25 **represent the subdistricts, with one director from each of the subdistricts. Directors shall**
26 **serve a four-year term. Directors shall serve until the next election and until their**
27 **successors, then elected, are duly qualified as provided in this section.** In addition to other
28 qualifications prescribed by law, each member elected from a subdistrict [must] **shall** be a
29 resident of the subdistrict from which he **or she** is elected. The subdistricts shall be numbered

30 from one to [six and the directors elected from subdistricts one, three and five shall hold office
31 for terms of two years and until their successors are elected and qualified, and the directors
32 elected from subdistricts two, four and six shall hold office for terms of four years and until their
33 successors are elected and qualified. Every two years thereafter a member of the board of
34 directors shall be elected for a term of four years and until his successor is elected and qualified
35 from each of the three subdistricts having a member on the board of directors whose term expires
36 in that year. Those members of the board of directors who were in office in 1967 shall, when
37 their terms of office expire, be succeeded by the members of the board of directors elected from
38 subdistricts. In addition to the directors elected by the voters of each subdistrict, additional
39 directors shall be elected at large by the voters of the entire school district as follows: in 1970
40 one director at large shall be elected for a two-year term. In 1972 one director at large shall be
41 elected for a four-year term. In 1974 two at-large directors shall be elected for a four-year term
42 and thereafter in alternative elections one director shall be elected for a four-year term and then
43 two directors shall be elected for a four-year term, so that from and after the 1970 election the
44 board of directors not including those members who were in office in 1967 shall consist of seven
45 members until the 1974 election and thereafter the board shall consist of nine members. In those
46 years in which one at-large director is to be elected each voter may vote for one candidate and
47 the candidate receiving a plurality of votes cast shall be elected. In those years in which two
48 at-large directors are to be elected] **five**. Each voter may vote for two candidates **for at-large**
49 **director** and the two receiving the largest number of votes cast shall be elected.

50 [4.] **3.** The [six] **five** candidates, one from each of the subdistricts, who receive a
51 plurality of the votes cast by the voters of that subdistrict and the at-large candidates receiving
52 a plurality of the at-large votes shall be elected. The name of no candidate for nomination shall
53 be printed on the ballot unless the candidate has at least sixty days prior to the election filed a
54 declaration of candidacy with the secretary of the board of directors containing the signatures of
55 at least two hundred fifty registered voters who are residents of the subdistrict within which the
56 candidate for nomination to a subdistrict office resides, and in case of at-large candidates the
57 signatures of at least five hundred registered voters. The election authority shall determine the
58 validity of all signatures on declarations of candidacy.

59 [5.] **4.** In any election either for at-large candidates or candidates elected by the voters
60 of subdistricts, if there are more than two candidates, a majority of the votes are not required to
61 elect but the candidate having a plurality of the votes if there is only one office to be filled and
62 the candidates having the highest number of votes, if more than one office is to be filled, shall
63 be elected.

64 [6.] **5.** The names of all candidates shall appear upon the ballot without party
65 designation and in the order of the priority of the times of filing their petitions of nomination.

66 No candidate may file both at large and from a subdistrict and the names of all candidates shall
67 appear only once on the ballot, nor may any candidate file more than one declaration of
68 candidacy. All declarations shall designate the candidate's residence and whether the candidate
69 is filing at large or from a subdistrict and the numerical designation of the subdistrict or at-large
70 area.

71 [7.] 6. The provisions of all sections relating to seven-director school districts shall also
72 apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to
73 the extent applicable and not in conflict with the provisions of those sections specifically relating
74 to such urban districts.

75 [8.] 7. Vacancies which occur on the school board between the dates of election shall
76 be filled by special election if such vacancy happens more than six months prior to the time of
77 holding [a general municipal] **an** election[,] as provided in **subsection 2 of this** section
78 [115.121]. The state board of education shall order a special election to fill such a vacancy. A
79 letter from the commissioner of education, delivered by certified mail to the election authority
80 or authorities that would normally conduct an election for school board members shall be the
81 authority for the election authority or authorities to proceed with election procedures. If a
82 vacancy occurs less than six months prior to the time of holding a general municipal election,
83 no special election shall occur and the vacancy shall be filled at the next general municipal
84 election.

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