SECOND REGULAR SESSION

HOUSE BILL NO. 2591

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FISHEL.

4018H.02I DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to an urban school board election process.

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

Section A. Section 162.481, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.481, to read as follows:

162.481. 1. Except as otherwise provided in this section and in section 162.492, all elections of school directors in urban school districts shall be held biennially at the same times and places as municipal elections.

2. Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a seven-director district becomes an urban school district, the directors of the prior seven-director district shall continue as directors of the urban school district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban school district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban school district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years.

At the next succeeding biennial election held in the urban school district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected,

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.
two shall be elected for terms of six years and two shall be elected for terms of two years. After
seven directors of the urban school district have been elected under this subsection, their
successors shall be elected for terms of six years.

3. (1) In any school district in which a majority of the district is located in any home rule
city with more than one hundred fifty-five thousand but fewer than two hundred thousand
inhabitants, elections shall be held annually at the same times and places as general municipal
elections for all years where one or more terms expire, and the terms shall be for three years and
until their successors are duly elected and qualified for all directors elected on and after August
28, 1998, except as provided in subdivision (2) of this subsection.

(2) In any school district described in subdivision (1) of this subsection, all school
board members elected on or after April 5, 2022, shall be elected as provided in this
subdivision.

(a) Before December 1, 2021, the election authority of the county in which the
school district is located shall divide the school district into two at-large districts and five
subdistricts. One of the two at-large districts shall encompass the northern half of the
school district and one shall encompass the southern half of the school district, and both
at-large districts shall be as nearly equal in population as practical. The five subdistricts
shall be of contiguous and compact territory and as nearly equal in population as practical.
Within six months after each decennial census is reported to the President of the United
States, the election authority shall reapportion the at-large districts and the subdistricts
to be as nearly equal in population as practical. The at-large districts and subdistricts shall
be numbered from one upward consecutively, and as much as practical the numbers shall
be retained upon reapportionment.

(b) a. On the first day available for candidate filing after the at-large districts and
subdistricts are created under this subdivision, any qualified resident may file as a
candidate for election to the school board. Members serving on the existing board may
also file as a candidate for the at-large district or subdistrict in which the member resides.
No candidate's name shall be printed on the ballot unless the candidate has, at least sixty
days before the election, filed a declaration of candidacy with the election authority
containing the signatures of at least one hundred registered voters who are residents of the
at-large district or subdistrict within which the candidate for election to an at-large district
or subdistrict resides. The election authority shall determine the validity of all signatures
on declarations of candidacy.

b. The election authority shall determine, by random drawing, the order in which
such candidates' names appear on the ballot. The drawing shall be conducted so that each
candidate may draw a number at random at the time of filing.
(c) On the general municipal election day in 2022, the seven candidates, one from each of the two at-large districts and five subdistricts, who receive a plurality of the votes cast by the voters of that at-large district or subdistrict shall be elected. The two members representing at-large districts 1 and 2 shall be elected to an initial term of four years, the three members representing subdistricts 3, 5, and 7 of the subdivided school district shall be elected to an initial term of three years, and the remaining two members representing subdistricts 4 and 6 of the subdivided school district shall be elected to an initial term of two years. Each term thereafter shall be a three-year term. The terms of members serving on the existing board when the first election occurs under this subdivision shall expire when the new at-large district and subdistrict board members are elected and qualified.

(d) Each member shall serve until a successor is elected or the member vacates the office. Any vacancy that occurs more than six months before the election for filling the new at-large district or subdistrict board positions shall be filled by the remaining members of the board, who shall select a qualified person from a list of qualified residents of the at-large district or subdistrict. Any vacancy that occurs with fewer than six months remaining in the unexpired term shall remain vacant until the next general municipal election day.

(e) Each member shall be a resident of the school district for the two years immediately preceding the member's election, and shall be a resident of the at-large district or subdistrict for the year immediately preceding the member's election.

(f) a. Except for the board members initially elected under this subdivision and incumbents elected to an additional term under subparagraph b. of this paragraph, no person shall be elected to the board for more than nine consecutive years.

b. At any election occurring after the initial election under this subdivision, if any incumbent has served nine consecutive years and no other candidate files for election at the end of incumbent's last term, the incumbent may file as a candidate for the incumbent's office for one additional three-year term. If any other qualified resident files as a candidate for the incumbent's office before the filing deadline, the incumbent shall be disqualified and not placed on the ballot.

4. For any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 2001.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which
becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and upon expiration of any term after August 28, 2015, the term of office shall be for three years and until their successors are duly elected and qualified.