

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1602

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RUTH.

4522H.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 162.073 and 162.261, RSMo, and to enact in lieu thereof two new sections relating to vacancies on school boards.

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

Section A. Sections 162.073 and 162.261, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 162.073 and 162.261, to read as follows:

162.073. For the purposes of sections 162.071, 162.073, 162.152, 162.171, 162.181,
2 162.191, 162.201, 162.241, [162.261,] 162.301, 162.311, 162.821 and 167.121, in those counties
3 without a county commission, the following words shall have the following meaning:

4 (1) "County clerk" shall mean the vice-chairman of the county legislature or county
5 council;

6 (2) "County commission" shall mean the county legislature or county council;

7 (3) "Presiding commissioner of the county commission" shall mean the chairman of the
8 county legislature or county council.

162.261. 1. The government and control of a seven-director school district, other than
2 an urban district, is vested in a board of education of seven members, who hold their office for
3 three years, except as provided in section 162.241, and until their successors are duly elected and
4 qualified. Any vacancy occurring in the board shall be filled by the remaining members of the
5 board; except that if there are more than two vacancies at any one time, the county commission
6 upon receiving written notice of the vacancies shall fill the vacancies by appointment. **If there**
7 **are more than two vacancies at any one time in a county without a county commission, the**

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.

8 **county executive upon receiving written notice of the vacancies shall fill the vacancies, with**
9 **the advice and consent of the county council, by appointment.** The person appointed shall
10 hold office until the next municipal election, when a director shall be elected for the unexpired
11 term.

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

18 3. The provisions of article VII, section 6 of the Missouri Constitution apply to school
19 districts.

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