

FIRST REGULAR SESSION

# HOUSE BILL NO. 421

101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PROUDIE.

0304H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 162, RSMo, by adding thereto one new section relating to the creation of subdistricts in certain school districts.

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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 known as section 162.386, to read as follows:

- 162.386. 1. Notwithstanding any other provision of law to the contrary, in any school district that is located within or that adjoins a school district that is located within, in whole or in part, a street light maintenance district with fewer than three thousand inhabitants, and that is located within a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, the board of election commissioners of such county shall establish seven subdistricts for the purpose of electing directors of such school district.**
- 2. (1) The initial subdistrict boundaries shall be drawn by the commissioners within sixty days after August 28, 2021, with subsequent boundaries to be drawn within six months after each decennial census is reported to the President of the United States. In the event that the board of election commissioners is unable to agree on the subdistrict boundaries by the deadlines established under this subsection, the governing body of the county shall, sitting as an apportionment commission, draw the boundaries within sixty days after the failure of the board of election commissioners to do so. Subdistrict boundaries drawn by the governing body of the county shall not be subject to veto by the chief executive of the county.**

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.

17           (2) The commissioners shall apportion the subdistricts by dividing the district's  
18 population, determined by the preceding decennial census, by the number of directors and  
19 shall establish each subdistrict so that the population of that subdistrict shall, as nearly as  
20 possible, equal that figure or be within one percent thereof. Each subdistrict shall be  
21 composed of contiguous territory as compact as possible.

22           3. All board members elected or appointed in any such district shall be elected or  
23 appointed to represent one of the subdistricts, beginning with the first general municipal  
24 election or vacancy occurring after August 28, 2021. Each member shall, for one year  
25 prior to the date of such member's election, reside in the subdistrict from which such  
26 member is elected or, in the case of a vacancy, the subdistrict from which such member is  
27 appointed. If a member removes the member's residence from the subdistrict, the member  
28 shall forfeit the office. Such vacancy may be declared and the office filled by the remaining  
29 members of the board as provided by law.

30           4. Elected members of the board in office on August 28, 2021, shall hold office for  
31 the length of terms for which they were elected and until their successors are elected and  
32 qualified, and any members appointed to fill vacancies in office occurring after August 28,  
33 2021, shall serve until the next general municipal election, at which a successor shall be  
34 elected to serve for the remainder of the term to which the replaced member was elected.

35           5. If a vacancy occurs subsequent to the eleventh Tuesday but prior to the eighth  
36 Tuesday prior to the general municipal election, notice of election to fill such vacancy shall  
37 be given within two days after the vacancy arises, but no later than the seventh Tuesday  
38 prior to the general municipal election. Declarations of candidacy to fill such vacancy shall  
39 be received for a period of five business days, between 8:00 a.m. and 5:00 p.m., after notice  
40 is given, but no later than the first Monday prior to the sixth Tuesday prior to the general  
41 municipal election. The names of the candidates shall be certified to the election authority  
42 no later than the sixth Tuesday prior to the general municipal election. Notice of election,  
43 declaration of candidacy, and certification to the election authority of any vacancies  
44 occurring at any other time shall be filed as otherwise provided by law.

45           6. At the first general municipal election to occur after August 28, 2021, the  
46 elections for the seats of any expiring terms or appointed terms, as provided in this section,  
47 of at-large board members shall be filled by persons elected from the lowest-numbered  
48 subdistricts, as those subdistricts are created and numbered by the board of election  
49 commissioners. The second such general municipal election shall be for the lowest-  
50 numbered subdistricts not filled at the prior election, and the third such election shall be  
51 for the remaining subdistricts not filled at the prior two elections.

52           **7. The law governing school districts and seven-director school districts shall**  
53 **continue to apply to any district described under this section, except as expressly provided**  
54 **under this section.**

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