

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

CONFERENCE COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL 1532

By: Leftwich of the Senate

and

Paulk of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to schools; authorizing certain districts to expand district board of education upon resolution of district board of education or upon approval of district electors; providing for election of chair of board in certain districts; stating term of office of chair of board; requiring certain election; stating qualifications, powers, and duties of chair of board of certain district boards of education; stating duties of vice-chair; providing for certain officers of certain boards of education; prohibiting certain officer positions; authorizing election on certain question upon resolution of district board of education or petition; stating procedure for authorizing election on certain question upon petition; requiring minimum number of signatures; requiring submission of certain petition to State Superintendent of Public Instruction; requiring certain determination by county election board; stating times for certain election; requiring majority vote for approval of certain question; providing procedure for abolishing chair of board position; amending 70 O.S. 1991, Section 5-107A, as last amended by Section 1, Chapter 124, O.S.L. 1998 (70 O.S. Supp. 1999, Section 5-107A), which relates to district boards of education; excluding chair of board position in certain computations; amending 70 O.S. 1991, Section 5-117, as last amended by Section 18 of Enrolled House Bill No. 2711 of the 2nd Session of the 47th Oklahoma Legislature, which relates to powers and duties of district boards of education; excluding election of chair of the board from powers of boards in certain districts; amending 70 O.S. 1991, Section 5-119, as amended by Section 6, Chapter 254, O.S.L. 1992 (70 O.S. Supp. 1999, Section 5-119), which relates to election of officers by district boards of education; excepting certain districts from election of certain officers; amending 26 O.S. 1991, Section 13A-110, as last amended by Section 1, Chapter 322, O.S.L. 1999 (26 O.S. Supp. 1999, Section 13A-110), which relates to procedures for filling vacancies on district boards of education; providing procedures for filling vacancy in chair of board position in certain districts; requiring certain election; authorizing certain vacancy to be filled by vice chair of certain district boards of education;

providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-107B of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The board of education of a district with an average daily membership (ADM) of more than thirty thousand (30,000) students may be expanded to add a member who shall be elected at large for a term of four (4) years and who shall serve as chair of the board. The chair of the board position may be added upon a majority vote of the district board of education to add the position or upon a majority vote of the electors of the district voting in an election on the question, as provided in subsection D of this section. If the board opts to add the chair of the board position or the electors of the district vote to add the chair of the board position, the chair of the board shall be elected at the next regular election of board members, held pursuant to Section 13A-103 of Title 26 of the Oklahoma Statutes, following the decision of the board or approval of the question by vote of the district electors.

B. The chair of the board of education shall possess the same qualifications as required for other board members, shall assume office as provided for other members of the board of education, shall be a full, voting member of the board, and shall count for purposes of a quorum or a majority, or other requirements based on number of members on the board. The chair shall preside at all meetings of the board of education in accordance with rules of parliamentary procedure which have been adopted by a majority vote of the board, provided that, in the absence of rules adopted by the board, the chair shall determine and set forth the rules of parliamentary procedure that shall apply at board meetings; assemble

and control the agenda for board meetings, provided that, upon approval of a majority of the members of the board, an item shall be placed on the agenda for the same or a subsequent meeting, in accordance with the Oklahoma Open Meetings Act; appoint all committees whose appointment is not otherwise provided for by law; and shall sign all warrants ordered by the board of education to be drawn upon the treasurer for school money. The chair of the board shall possess all powers otherwise provided by law for a member of a board of education, all powers provided by law for the president of a board of education, and such other lawful powers as may be conferred upon the chair by majority vote of the board. The chair shall receive compensation and benefits as conferred upon other members of the district board of education.

C. For a district in which a chair of the board has been elected, the district board of education, during the meeting at which the chair of the board assumes office, shall elect a vice-chair who shall serve a one-year term and until a successor is elected and qualified. The vice chair shall perform all duties of the chair of the board in case of the chair's absence or disability. The board shall also elect clerks and deputies as provided in Section 5-119 of Title 70 of the Oklahoma Statutes. The board shall not elect a president or vice president.

D. If the district board of education does not opt to add the chair of the board position to the board as provided in subsection A of this section, a proposal to add the chair of the board position may be submitted to the district electors upon adoption of a resolution by the board to submit the question to the district electors or upon petition that is signed by the requisite number of district electors and meets the requirements set forth in this subsection. The following procedures shall be followed to submit the question to the district electors:

1. If submitted upon petition, the petition shall be on a form prescribed by the Secretary of the Election Board and contain the number of signatures of district electors equivalent to ten percent (10%) of the school district electors voting in the last district-wide general school election. The petition must be submitted to the State Superintendent of Public Instruction. Within thirty (30) days the State Superintendent shall notify the district board of education and shall present the petition to the county election board located in the county in which the main administrative office of the district is located.

2. Within thirty (30) days of presentment of the petition to the county election board, the board shall determine whether the signers of the petition are registered voters of the district and whether the petition has the requisite number of signatures of such registered voters. The county election board secretary shall notify the State Superintendent of the board's determination who shall notify the district board of education of the election board's determination.

3. If the petition is deemed to have sufficient signatures, the district board of education shall call an election on the question by the electors of the district.

4. The election shall be held not less than sixty (60) days or more than ninety (90) days of the board's adoption of the resolution to submit the question or the board's receipt of notice from the State Superintendent of the sufficiency of the petition unless the election date would fall between the closure of the filing period and the regular school election for board positions conducted pursuant to Section 13A-103 of Title 26 of the Oklahoma Statutes. In that event the question shall be presented at the regular district elections. The question shall be approved upon the assent of a majority vote of the electors voting on the question.

E. If a district board of education is expanded to include the chair of the board position either by decision of the board or by vote of the district electors, the chair of the board position shall not be abolished except by a majority vote of the voters of the school district voting on such question at a special election called for that purpose. The question may be presented only upon a resolution adopted by three-fourths (3/4) of the board membership or upon petition that meets the requirements set forth in subsection D of this section. If the question is approved, the chair of the board position shall be abolished at the end of the term of the chair who holds the office when the election is held or upon the chair's resignation or vacancy of the office following the election on the question.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 5-107A, as last amended by Section 1, Chapter 124, O.S.L. 1998 (70 O.S. Supp. 1999, Section 5-107A), is amended to read as follows:

Section 5-107A. The following provisions and the provisions of Section 13A-101 et seq. of Title 26 of the Oklahoma Statutes shall govern the election of members of the board of education for a school district:

A. For purposes of this section, temporary positions added to a board of education pursuant to Section 7-101 or 7-105 of this title and the chair of the board of education elected pursuant to Section 1 of this act shall not be considered in determining the size of the board. The number and term of each board of education shall be as follows:

District	Members	Term (Years)
Elementary	3	3
Independent		
1. districts having a five-member board	5	5
2. districts having a seven-member		

board unless an election is  
conducted pursuant to subsection  
C of this section

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B. In all school districts, the members of the board of  
education shall be elected as follows:

1. a. Between August 1 and December 31 of the year following  
the submission by the United States Department of  
Commerce to the President of the United States of the  
official Federal Decennial Census, the board of  
education shall reapportion the territory of the  
school district into board districts. Beginning with  
the reapportionment following the 1990 Federal  
Decennial Census, all boundaries of board districts  
shall follow clearly visible, definable and observable  
physical boundaries which are based upon criteria  
established and recognized by the Bureau of the Census  
of the United States Department of Commerce for  
purposes of defining census blocks for its decennial  
census and shall follow, as much as is possible,  
precinct boundaries. Board districts shall be  
compact, contiguous and shall be as equal in  
population as practical with not more than a ten  
percent (10%) variance between the most populous and  
least populous board districts.
- b. School districts having fewer than one thousand eight  
hundred (1,800) students in average daily membership  
during the preceding school year may choose not to  
establish board districts and may nominate and elect  
all board members at large.
- c. Elementary school districts shall have board members  
elected at large.

d. A city located in an independent school district having four or more wards and an outlying area with such outlying area comprising no more than twenty percent (20%) of the population of such independent school district, then such independent school district may adopt such wards and outlying area in lieu of the board districts provided for in subparagraph a of this paragraph, and at least one member of the board of education of such independent school district shall be a member of each ward; and

2. One member of the board of education shall be elected by the electors of the school district to represent each such board district. Provided, however, that in any school district where the electors of each board district, rather than the electors of the entire school district, elect board members to represent that board district, that district shall elect board members in that manner.

If during the term of office to which a person was elected, that member ceases to be a resident of the board district for which the person was elected, the office shall become vacant and such vacancy shall be filled as provided in Section 13A-110 of Title 26 of the Oklahoma Statutes; and

3. In a school district having more than ten thousand (10,000) children in average daily membership, the following provision and the provisions of Section 13A-101 et seq. of Title 26 of the Oklahoma Statutes shall control as to election of the members of the school district's board of education:

a. There shall be held an election in which the electors of each board district in which a term is expiring or in which a vacancy exists shall select two candidates from among the candidates for board member to represent the board district,

- b. If, in the election, one candidate has a majority of all votes cast, then a run-off election is not required. If no candidate receives a majority of all votes cast, then the two candidates receiving the greatest number of votes shall become the candidates for the board district in the general election, and
- c. At the run-off election, all of the electors of the board district shall select one of the two candidates as the member of the board of education representing the board district.

C. Any seven-member board shall have the option of reducing its board to a five-member board either after approval of a board resolution or a vote of the electors of the school district to take such action pursuant to Section 13A-109 of Title 26 of the Oklahoma Statutes. The election pursuant to a vote of the electors of the school district shall be called upon the submission of a petition requesting the election signed by ten percent (10%) of the school district electors in the school district, the percentage being applied to the highest number of voters voting in a regular school district election in the district in the preceding five (5) years as determined by the secretary of the county election board, who shall certify the adequacy of the number of signatures on the petition. If the question is put before the voters of the district, such election shall be held along with and at the same time and place as the next school election if all requirements of Section 13A-101 et seq. of Title 26 of the Oklahoma Statutes for such election are met.

After such resolution or election, the board shall reapportion the district, determining by resolution or by lot which board member offices shall be abolished at the end of the current board member's term and which shall become one of the offices of the new board.

Election of the resulting board members shall be carried out according to procedures stated in this section and Section 13A-101 et seq. of Title 26 of the Oklahoma Statutes.

School board members currently serving in offices abolished pursuant to this subsection shall continue serving until the end of their current terms as at-large members.

D. ~~The~~ Except for the chair of the board of education elected pursuant to Section 1 of this act, offices of members of the board of education shall be designated by consecutive numbers and shall correspond with board districts when applicable.

E. Except for those members elected prior to July 1, 1992, the terms of office of the members of a five-member board of education shall commence on the first regular, special or emergency school board meeting after the date of the annual school election and after the member has been certified as elected:

Office No. 1	1991
Office No. 2	1992
Office No. 3	1993
Office No. 4	1994
Office No. 5	1995

The terms of office of the members of a seven-member board of education shall be staggered, with one member being elected in 1991, two members being elected in 1992, two members being elected in 1993 and two members being elected in 1994 and shall commence on the first regular, special or emergency school board meeting after the date of the annual school election and after the member has been certified as elected; provided, in districts needing to elect two members in 1991 to maintain a full complement of board members, two members shall be elected in 1991, one for a full term and one for a one-year term, as determined by the local board. If a seven-member board is formed upon consolidation pursuant to Section 7-105 of this title, or upon annexation pursuant to Section 7-101 of this title,

the formation agreement shall specify initial short terms as necessary to extend until the beginning of the regular terms for seven-member boards established herein.

Upon reduction of a seven-member board pursuant to subsection C of this section, the terms of the five-member board shall be staggered pursuant to this subsection.

One member of a three-member board of education shall be elected each year, and the terms of office shall commence on the first regular, special or emergency school board meeting after the member has been certified as elected.

F. The term of office of each board member elected after July 1, 1992, shall commence on the first regular, special or emergency school board meeting after the date of the annual school election and after the member has been certified as elected. Board members elected prior to July 1, 1992, may remain in office until their successor is elected and seated pursuant to Sections 13A-101 through 13A-111 of Title 26 of the Oklahoma Statutes. The remaining term of any member who completes the term for which the member was elected but not wishing to serve until the successor of the member takes office on the first regular, special or emergency school board meeting after the successor has been certified as elected, shall be filled by appointment by the remaining members of the board of education.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 5-117, as last amended by Section 18 of the Enrolled House Bill No. 2711 of the 2nd Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 5-117. A. The board of education of each school district shall have power to:

1. Elect its own officers; provided that the chair of the board authorized in Section 1 of this act shall be elected by the electors of the school district;

2. Make rules, not inconsistent with the law or rules of the State Board of Education, governing the board and the school system of the district;

3. Maintain and operate a complete public school system of such character as the board of education shall deem best suited to the needs of the school district;

4. Designate the schools to be attended by the children of the district;

5. Provide and operate, when deemed advisable, cafeterias or other eating accommodations, thrift banks or other facilities for the teaching and practice of thrift and economy, bookstores, print shops, and vocational and other shops;

6. Provide informational material concerning school bond elections and millage elections, including but not limited to all pertinent financial information relative to the bond issue, a statement of revenue sources necessary to retire proposed bonds, a statement of current bonded indebtedness of the school district, and a statement of proposed use of funds to be generated by the proposed bond issue. The informational material shall not contain the words "vote yes" or "vote no" or any similar words or statement any place on such informational material;

7. Purchase, construct or rent, and operate and maintain, classrooms, libraries, auditoriums, gymnasiums, stadiums, recreation places and playgrounds, teacherages, school bus garages, laboratories, administration buildings, and other schoolhouses and school buildings, and acquire sites and equipment therefor;

8. Have school district property insured;

9. Acquire property by condemnation proceedings in the same manner as land is condemned for railroad purposes. School district funds may be used to erect buildings on leased land on which other buildings have been erected prior to April 3, 1969, or on land which is leased from a governmental entity;

10. Lease real or personal property to the state or any political subdivision thereof for nominal cash consideration for so long as the use of the property by the lessee substantially benefits, in whole or in part, the same public served by the school district;

11. Dispose of personal or real property no longer needed by the district by sale, exchange, lease, lease-purchase, sale and partial lease back, or otherwise. Real property shall be conveyed pursuant to a public sale, public bid, or private sale, provided however, unless otherwise prohibited by law, the board of education of a consolidated or annexed school district may convey real property to a local political subdivision without consideration. Prior to the sale of any real property, the board of education shall have the real property appraised. The appraisal shall be confidential until the real property is sold. When the real property is sold the board of education shall make the appraisal available for public inspection. Prior to the conveyance of any real property by private sale, the board of education shall have offered the real property for sale by public sale or public bid. Any conveyance of real property by private sale to a nonprofit organization, association, or corporation to be used for public purposes, unless for exchange, shall contain a reversionary clause which returns the real property to the board of education upon the cessation of the use without profit or for public purposes by the purchaser or the assigns of the purchaser;

12. Purchase necessary property, equipment, furniture, and supplies necessary to maintain and operate an adequate school system;

13. Incur all expenses, within the limitations provided for by law, necessary to perform all powers granted by the provisions of this section;

14. Contract with and fix the duties and compensation of physicians, dentists, optometrists, nurses, attorneys, superintendents, principals, teachers, bus drivers, janitors, and other necessary employees of the district. The board of education shall establish a written policy for reimbursement of necessary travel expenses of employees and members of the board. The policy may include in-district travel from the site of employment assignment which is necessary in the performance of employment duties. The written policy shall specify procedures, contain documentation requirements, and may include payment of meal expenses during authorized travel on a per diem allowance basis rather than itemized documentation. Per diem meal reimbursement may not exceed the amounts authorized for state employees in Section 500.8 of Title 74 of the Oklahoma Statutes, but such reimbursement shall be available for necessary travel that does not require overnight stays. The board shall designate the funds from which reimbursement is to be made. Reimbursement of meal expenses for an employee or a board member shall not be considered compensation;

15. Pay necessary travel expenses and other related expenses of prospective employees for sponsored visits to the school district pursuant to a written policy specifying procedures containing documentation requirements equal to or greater than the requirements specified by law for state employees in the State Travel Reimbursement Act;

16. Provide for employees' leaves of absence without pay;

17. Exercise sole control over all the schools and property of the district, subject to other provisions of the Oklahoma School Code;

18. Allow district-owned school buses to be used for transportation of students from other districts or educational institutions while within the district on educational tours. This shall not restrict the authority of the board to authorize any other

use of such buses which may now be permitted by law or rule of the State Board of Education;

19. Enter into contractual agreements with the board of trustees of a multicounty library system, as defined in Section 4-103 of Title 65 of the Oklahoma Statutes, a city-county library commission, as defined in Section 152 of Title 65 of the Oklahoma Statutes, or a rural single county library system, as defined in Section 1-104 of Title 65 of the Oklahoma Statutes, on such terms as may be mutually agreed, except no district board of education may enter into any agreement under which the library services for the school would be provided at any site other than the school site or which would result in library services that do not meet accreditation standards as required by law or rule;

20. Perform all functions necessary to the administration of a school district in Oklahoma as specified in the Oklahoma School Code, and in addition thereto, those powers necessarily implied but not delegated by law to any other agency or official; and

21. Prepare and distribute at the expense of the school district any and all material which has the purpose of informing the public about district activities.

B. The board of education of any school district may rent, on a monthly basis, real and personal property, if such items are necessary for the operation of the school, and pay the rental charges for the usage during any fiscal year, or portion thereof, out of appropriations made and approved for current expense purposes during the fiscal year. Any such rental contract extending beyond June 30 of such fiscal year shall be void unless it contains provisions for mutual ratification of renewal pursuant to the conditions provided for in this subsection. It is the intent of this subsection to authorize boards of education to enter into lease contracts but not to incur any obligation against the school district in excess of the income and revenue provided for such

purposes for the fiscal year in which such lease contract is operative. Any lease agreement entered into by any board of education shall state the purchase price of real or personal property so leased. The lease shall not be extended so as to cause payment of more than the original purchase price of the real or personal property, plus interest not to exceed the legal rate. When the purchase price plus interest has been paid, the property shall belong to the lessee and the lessor shall deliver a deed or bill of sale to the property to the lessee. When any real or personal property has been leased or rented during any fiscal year pursuant to the provisions of any contract which permits continuance of such rental for the remainder of such fiscal year, the renting or leasing thereof must be continued for the remainder of the fiscal year unless the board of education renting or leasing the same certifies by proper resolution entered in the minutes of the board of education that the continuance of such rental is unnecessary and contrary to the public interest.

C. The boards of education of two or more school districts may enter into cooperative agreements and maintain joint programs including but not limited to, courses of instruction for handicapped children, courses of instruction in music and other subjects, practical instruction for trades and vocations, practical instruction in driver training courses, and health programs including visual care by persons legally licensed for such purpose, without favoritism as to either profession. The revenues necessary to operate a joint program approved in cooperative agreements, whether from federal, state or local sources, including the individual contributions of participating school districts, shall be deposited into a fund separate from all other appropriated funds. The beginning fund balance each year, combined with all actual revenues, including collected and estimated revenues, must be appropriated before being expended. Purchase orders shall be issued

against available appropriations and, once goods or services have been received, either payable or nonpayable warrants shall be issued in payment of all purchase orders. The fund shall be reported as a separate appropriated fund in all the financial reports of the school district which is chosen by the other school districts to keep the accounting records of the joint program.

D. Any school district may operate or maintain a school or schools on any military reservation which is within the boundaries of the school district or which is adjacent to the school district, and provide the instruction in the school or schools to children of personnel on the military reservation and, in doing so, shall conform to all federal laws and requirements.

E. The board of education of each school district shall adopt and maintain on file in the office of the superintendent of schools appropriate personnel policy and sick leave guide. The guide shall be made available to the public.

SECTION 4. AMENDATORY 70 O.S. 1991, Section 5-119, as amended by Section 6, Chapter 254, O.S.L. 1992 (70 O.S. Supp. 1999, Section 5-119), is amended to read as follows:

Section 5-119. A. ~~The~~ Except for districts that elect a chair of the board pursuant to Section 1 of this act, the board of education of each school district shall elect from its membership at the first regular, special or emergency meeting following the annual school election and certification of election of new members, a president and vice president, each of whom shall serve for a term of one (1) year and until a successor is elected and qualified. The board shall also elect a clerk and, in its discretion, a deputy clerk, either of whom may be one of the members of the board, and each of whom shall hold office during the pleasure of the board and each of whom shall receive such compensation for services as the board may allow. If the board elects a board clerk who is not one of the members of the board, the board clerk may also be employed as

the encumbrance clerk and minute clerk. Provided, no superintendent, principal, treasurer or assistant treasurer, instructor, or teacher employed by such board shall be elected or serve as clerk or deputy clerk of the board nor as encumbrance clerk or minute clerk except that a treasurer or assistant treasurer may serve as a minute clerk. No board member shall serve as encumbrance clerk or minute clerk. The deputy clerk may perform any of the duties and exercise any of the powers of the clerk with the same force and effect as if the same were done or performed by the clerk. Before entering upon the discharge of the duties of the deputy clerk, the deputy clerk shall give a bond in a sum of not less than One Thousand Dollars (\$1,000.00) with good and sufficient sureties to be approved by the board conditioned for the faithful performance of the duties of the deputy clerk.

B. The board of education shall employ an encumbrance clerk and minute clerk, both functions of which may be performed by the same employee. The encumbrance clerk shall keep the books and documents of the school district and perform such other duties as the board of education or its committees may require. The minute clerk shall keep an accurate journal of the proceedings of the board of education and perform such other duties as the board of education or its committees may require. The board of education may designate a deputy minute clerk. The deputy minute clerk may perform any of the duties and exercise any of the powers of the minute clerk with the same force and effect as if the same were done or performed by the minute clerk. Before entering upon the discharge of the duties of the deputy minute clerk, the deputy minute clerk shall give a bond in a sum of not less than One Thousand Dollars (\$1,000.00) with good and sufficient sureties to be approved by the board conditioned for the faithful performance of the duties of the deputy minute clerk. Before entering upon the discharge of their duties, the encumbrance clerk and minute clerk shall each give a bond in a sum of not less

than One Thousand Dollars (\$1,000.00) with good and sufficient sureties to be approved by the board conditioned for the faithful performance of their duties. If both functions are performed by the same person only one bond in a sum of not less than One Thousand Dollars (\$1,000.00) shall be required.

SECTION 5. AMENDATORY 26 O.S. 1991, Section 13A-110, as last amended by Section 1, Chapter 322, O.S.L. 1999 (26 O.S. Supp. 1999, Section 13A-110), is amended to read as follows:

Section 13A-110. A. ~~Vacancies~~ Except for a vacancy in the position of the chair of the board elected pursuant to Section 1 of this act, vacancies for members of the board of education of every school district or vocational-technical school district shall be filled by appointment by the board. Persons appointed to fill such vacancies in the first half of the term of office for the board position shall serve only until the next succeeding election, at which time the office which they hold shall be placed on the ballot for the balance of the unexpired term. Vacancies filled by appointment following the delivery of the resolution calling for regular elections to the secretary of the county election board shall be filled until the regular elections the following year. Persons elected to fill unexpired terms shall begin those terms at the next regular meeting of the board of education following the election. Persons appointed to fill such vacancies after the first half of the term of office for the board position shall serve for the balance of the unexpired term. No person shall be appointed to a board of education who does not meet the eligibility qualifications needed to be a candidate for such position as provided for in Sections 13A-106 of this title and Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma Statutes.

B. If the board of education does not fill the vacancy by appointment within sixty (60) days of the date the board declared

the seat vacant, the board of education shall call a special election to fill the vacancy for the unexpired term.

C. In districts having a chair of the board elected by the electors of the district, a vacancy in the office of the chair of the board shall be filled by the vice chair who shall continue to serve as the board member for the board district for which elected. The board shall call a special election to elect a chair of the board to serve the remainder of the unexpired term. The special election shall be held in conjunction with the next regular, district-wide school election, conducted pursuant to Section 13A-103 of Title 26 of the Oklahoma Statutes, that is held more than ninety (90) days after the vacancy occurs. The successful candidate in the special election shall assume office as provided for district board of education members and shall serve the remainder of the unexpired term.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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