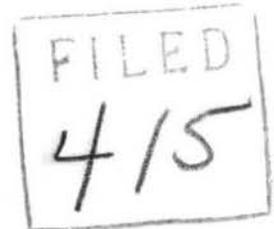


SCHOOLS  
SCHOOL DISTRICTS  
COUNTY  
BOARD OF EDUCATION

No person can be a candidate for election to a county board of education created by Senate Bill No. 327 of the 72nd General Assembly unless the person is a resident householder of the county in which the county board of education is created.

December 24, 1963

Opinion No. 415



Honorable Richard M. Webster  
State Senator, 32nd District  
204 South Garrison  
Carthage, Missouri

Dear Senator Webster:

This opinion is rendered in response to your request of October 15, 1963, for an official opinion of this office. You inquire:

" \* \* \* whether (under the new County School Board Law, Senate Bill 327) a resident of an adjoining county, who is also a resident of a Jasper County School District, can be a candidate for election to the County Board of Education."

(Senate Bill 327 of the 72nd General Assembly repealed Section 165.657, RSMo 1959, and enacted a new section in its place.)

Jasper County is a second class county. Subsection (4) of Senate Bill No. 327 provides for the creation of county boards of education in second, third and fourth class counties and also sets out the qualifications of members of the board. Subsection (4) provides:

"There is created in each second, third and fourth class county in this state a county board of education whose members shall be elected by popular vote at the annual school election held on the first Tuesday in April in each year. Each member shall be a citizen of the United States and of the State of Missouri; a resident householder of the county, and shall be not less than twenty-four years of age. \* \* \*" (Emphasis Added).

Honorable Richard M. Webster -2-

This provision unequivocally requires that each candidate for election to the county board of education be a "resident householder of the county" in which the county board of education is created.

CONCLUSION

It is the opinion of this office that no person can be a candidate for election to a county board of education created by Senate Bill No. 327 of the 72nd General Assembly unless the person is a resident householder of the county in which the county board of education is created.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, Louis C. DeFeo, Jr.

Very truly yours,

THOMAS F. EAGLETON  
Attorney General