

BILL ANALYSIS

Senate Research Center
79R3659 HLT-F

H.B. 2587
By: Hilderbran (Duncan)
Intergovernmental Relations
5/9/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Act creating the Schleicher County Hospital District was passed by the 60th Legislature, Regular Session, 1967, and was amended during the 63rd Legislature, Regular Session, 1973. H.B. 2587 allows for the district to provide, upon approval of the district board, medical services to areas outside the boundaries of the district, if the services provided serve the purpose of the district. H.B. 2587 allows the board to adopt an order that provides for the election of board directors from five single-member districts and provides the procedures for the election of such members.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1, Chapter 38, Acts of the 60th Legislature, Regular Session, 1967, to authorize, on approval of the board of directors of the Schleicher County Hospital District (board) (district), the district to provide primary care, emergency services, preventive medical services, and other health-related services outside the boundaries of the district if the services provided serve the purpose of the district.

SECTION 2. Amends Section 3, Chapter 38, Acts of the 60th Legislature, Regular Session, 1967, as follows:

Sec. 3. (a) Provides that, except as provided by Section 3A of this Act, the board consists of seven directors elected from the district at large who serve staggered two-year terms. Requires a director to continue to serve until a successor has been duly elected or appointed and qualified. Deletes existing text pertaining to board elections and requiring a director to own property subject to taxation in the district.

(b) Requires a majority, rather than any four members, of the board to constitute a quorum and a concurrence of a majority to be sufficient in all matters pertaining to the business of the district. Makes conforming changes.

(c) Requires a regular election of directors to be held on a date authorized by Chapter 41 (Election Dates and Hours for Voting), Election Code, rather than on the first Saturday in April of each year. Requires the petition [for candidacy as director] and an application for a place on the ballot that meets the requirements of the Election Code to be filed in the manner provided by Chapter 144 (Candidate for Office of Political Subdivision other than County or City), Election Code. Deletes existing text pertaining to petition filing.

SECTION 3. Amends Chapter 38, Acts of the 60th Legislature, Regular Session, 1967, by adding Section 3A, as follows:

Sec. 3A. (a) Authorizes the board of directors to adopt an order providing for the election of directors from five single-member districts.

(b) Requires the board, if the board adopts an order under Subsection (a) of this section, to create a plan that provides for five numbered single-member districts for the election of directors. Provides that each election district elects one member. Authorizes the election districts to be coextensive with single-member districts used to elect members of the governing body of a school district if the territory of the school district is coextensive with the territory of the hospital district and the school district elects five members from single-member districts.

(c) Requires a person, except as provided by Subsection (e) of this section, to be eligible to be a candidate or to serve as director, to be a resident of the election district that the person represents or seeks to represent.

(d) Requires a person to indicate on the application for a place on the ballot the election district that the person seeks to represent.

(e) Authorizes the directors to revise election district boundaries as necessary and requires the directors to revise the boundaries of each election district after each federal decennial census to reflect population changes. Requires, except as provided by Subsection (f) of this section, when the boundaries of an election district are redrawn, a director in office on the effective date of the change, or elected or appointed before the effective date of the change to a term of office beginning on or after the effective date of the change, to serve the term or the remainder of the term in the election district to which elected or appointed even though the change in boundaries places the person's residence outside the election district for which the person was elected or appointed.

(f) Requires all five positions on the board to be filled at the first election for directors that occurs following the adoption of an order under Subsection (a) of this section. Provides that, after the canvass of the returns of the election, the terms of all members serving on the board at the time of the election expire. Requires the directors to draw lots to determine which three shall serve terms lasting two years and which two shall serve terms lasting one year at the first meeting of the directors elected to the board under this section. Provides that, after the terms of directors initially elected to the board under this section expire, each director serves a term of two years.

SECTION 4. Amends Section 5(a), Chapter 38, Acts of the 60th Legislature, Regular Session, 1967, to include that taxes on the district may be used for providing the operation and maintenance of facilities related to the hospital or hospital system.

SECTION 5. Effective date: upon passage or September 1, 2005.