

## BILL ANALYSIS

Senate Research Center  
80R10664 MXM-F

S.B. 1501  
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Intergovernmental Relations  
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As Filed

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, boards of emergency services commissioners (board) are required to file a report regarding the district's administration for the preceding calendar year and the district's financial condition, and an audit report regarding the district's fiscal accounts and records. However, county commissioners courts do not have any authority to take action against an emergency services district if the reports are not completed. Emergency services districts (district) are political subdivisions established by local voters for the purpose of raising money through ad valorem taxes on all real property located within the district. Some districts use sales taxes to help fund the district as well. The ad valorem and sales taxes support district services designed to protect life through emergency rescue and ambulance services. Districts also protect property from fire through fire services. Several members of the Bexar County Commissioners Court believe that boards lack adequate accountability. One problem is that some boards have not provided reports required by state law.

As proposed, S.B. 1501 authorizes a commissioners court to remove board members of an emergency services district if the board fails to file certain required reports regarding the district's finances.

### 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 Subchapter C, Chapter 775, Health and Safety Code, by adding Section 775.0422, as follows:

Sec. 775.0422. REMOVAL OF BOARD MEMBER BY COMMISSIONERS COURT FOR FAILURE TO GIVE REPORT OR FILE AUDIT. (a) Authorizes the commissioners court of the county in which an emergency services district (district) is located to remove one or more of the members of the board of the district (board) by majority vote if the board has failed to give the report required by Section 775.036(a)(4) (regarding the district's administration for the preceding calendar year and the district's financial condition) to, or failed to file the audit report required by Section 775.082(b) (regarding the district's fiscal accounts and records) with, the commissioners court before the 91st day after the date on which the report of audit was due under those sections.

(b) Requires each commissioners court for a district located in more than one county to vote for the removal under this section.

(c) Provides that the validity of a board action is not affected because it is taken when a ground for removal of a board member exists.

SECTION 2. Amends the heading to Section 775.042, Health and Safety Code, to read as follows:

Sec. 775.042. REMOVAL OF BOARD MEMBER BY BOARD.

SECTION 3. Makes application of Section 775.0422, Health and Safety Code, as added by this Act, prospective.

SECTION 4. Effective date: upon passage or September 1, 2007.