

BILL ANALYSIS

Senate Research Center
83R4571 MEW-F

S.B. 1473
By: Deuell
Intergovernmental Relations
4/8/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Hopkins County Hospital District has long delegated responsibilities to its chief executive officer, including the right to hire, terminate, and make all personnel decisions. But that has not been placed in statute.

In order to clarify these delegations for the community and that the board is not involved with personnel decisions other than decisions regarding the chief executive officer, S.B. 1473 puts these practices in statute.

As proposed, S.B. 1473 amends current law relating to the chief executive officer of the Hopkins County Hospital District and to the delegation of certain authority by the district's board of directors to the chief executive officer.

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 1043.059, Special District Local Laws Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Authorizes the board of directors of the Hopkins County Hospital District (board) (district) to employ an attorney, bookkeeper, and architect, rather than a general manager, attorney, bookkeeper, and architect. Makes a nonsubstantive change.

(a-1) Authorizes the board to delegate to the chief executive officer the authority to hire, terminate, and make all other personnel decisions relating to district employees.

SECTION 2. Amends Subchapter B, Chapter 1043, Special District Local Laws Code, by adding Section 1043.062, as follows:

Sec. 1043.062. CHIEF EXECUTIVE OFFICER. (a) Requires the board to appoint a qualified person as the chief executive officer of the district (chief executive officer).

(b) Provides that the chief executive officer serves at the will of the board and is entitled to the compensation determined by the board.

(c) Requires the chief executive officer, subject to the limitations prescribed by the board, to:

(1) supervise the work and activities of the district; and

(2) direct the affairs of the district.

(d) Provides that if the board delegates to the chief executive officer the authority to hire, terminate, and make all other personnel decisions relating to district

employees, the chief executive officer has exclusive authority over personnel matters and the board is prohibited from participating in or making any decisions regarding the employment of district employees other than the chief executive officer.

SECTION 3. Effective date: upon passage or September 1, 2013.