

BILL ANALYSIS

Senate Research Center
84R8447 CJC-D

H.B. 4212
By: Hughes (Eltime)
Administration
5/25/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The City of Mineola, a fast-growing city in Wood County, lacks sufficient health care services. While a hospital district covers part of the county, and with the existence of hospitals in nearby towns, the prospects for establishing a hospital in Mineola in the near future are slim. H.B. 4212 seeks to remedy this situation by providing for the creation of the Mineola Area Medical District, to foster increased access to health care services.

H.B. 4212 amends current law relating to the creation of the Mineola Area Medical District, grants the authority to impose a tax and issue bonds, and grants the power of eminent domain.

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 Subtitle A, Title 3, Special District Local Laws Code, by adding Chapter 1120, as follows:

CHAPTER 1120. MINEOLA AREA MEDICAL DISTRICT

Sets forth standard language for the creation of the Mineola Area Medical District (district) in Wood County. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 1120.001-1120.006);

Size, composition, appointment, compensation, and terms of the board of directors of the district (Sections 1120.021-1120.023 and Sections 1120.051-1120.064);

Powers and duties of the district (Sections 1120.101-1120.115);

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 1120.151-1120.160, Sections 1120.201-1120.207, and Sections 1120.251-1120.253); and

Dissolution of the district (Sections 1120.301-1120.307).

Authorizes the district to exercise the power of eminent domain to acquire a fee simple or other interest in property located in district territory if the interest is necessary for the district to exercise the rights or authority conferred by this chapter. Requires the district to exercise the power of eminent domain in the manner provided by Chapter 21 (Eminent Domain), Property Code, except that the district is not required to deposit with the trial court money or a bond as provided by Section 21.021(a) (relating to the possession of the condemned property pending the results of further litigation), Property Code. Provides

that, in a condemnation proceeding brought by the district, the district is not required to pay in advance or provide bond or other security for costs in the trial court, provide bond for the issuance of a temporary restraining order or a temporary injunction, or provide a bond for costs or a supersedeas bond on an appeal or petition for review.

SECTION 2. (a) Requires the members of the board of directors of the Mineola Area Medical District elected at the first election held under Section 1120.051, Special District Local Laws Code, as added by this Act, to draw lots to determine which five directors serve a two-year term and which four directors serve a one-year term.

(b) Requires successor directors to serve two-year terms.

SECTION 3. (a) Effective date, except as provided by Subsection (b) of this section: upon passage.

(b) Provides that, if this Act does not receive the vote necessary for immediate effect:

(1) this Act takes effect September 1, 2015; and

(2) Section 1120.109, Special District Local Laws Code, as added by this Act, has no effect.