

BILL ANALYSIS

Senate Research Center
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S.B. 1811
By: Sibley
Intergovernmental Relations
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As Filed

DIGEST AND PURPOSE

The Comanche and DeLeon Hospital Districts were created by the state legislature. In 1995, a bill was passed to allow an election to merge the two districts. No merger election has been held. As proposed, S.B. 1811 extends the deadline and modifies provisions and procedures for a possible merger.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

ARTICLE 1. CHANGES RELATING TO DELEON HOSPITAL DISTRICT

SECTION 1.01. Amends Section 21A, Chapter 202, Acts of the 63rd Legislature, Regular Session, 1973, as follows:

Sec. 21A. New heading: DISSOLUTION OF DISTRICT IN EVENT OF DISSOLUTION OF COMANCHE COUNTY HOSPITAL DISTRICT AND CREATION OF COMANCHE COUNTY CONSOLIDATED HOSPITAL DISTRICT. (b) Authorizes the board of directors to order an election on the question of the dissolution of the DeLeon Hospital District, creation of the Comanche County Consolidated, rather than the Leon Valley, Hospital District, transfer of the DeLeon Hospital District's assets and obligations to the Comanche County Consolidated, rather than the Leon Valley, Hospital District, and assumption by the Comanche County Consolidated, rather than the Leon Valley, Hospital District of the DeLeon Hospital District's outstanding debts.

(f) Makes conforming changes.

(h) Makes conforming changes.

(j) Makes conforming changes.

SECTION 1.02. Amends Section 1B, Chapter 202, Acts of the 63rd Legislature, Regular Session, 1973, to make conforming changes.

ARTICLE 2. CHANGES RELATING TO COMANCHE COUNTY HOSPITAL DISTRICT

SECTION 2.01. Amends Section 21A, Chapter 203, Acts of the 63rd Legislature, Regular Session, 1973, as follows:

Sec. 21A. New heading: DISSOLUTION OF DISTRICT IN EVENT OF DISSOLUTION OF DELEON HOSPITAL DISTRICT AND CREATION OF COMANCHE COUNTY

CONSOLIDATED HOSPITAL DISTRICT. (b) Makes conforming changes.

(f) Makes conforming changes.

(h) Makes conforming changes.

(j) Makes conforming changes.

SECTION 2.02. Amends Section 1A, Chapter 203, Acts of the 63rd Legislature, Regular Session, 1973, to make conforming changes.

ARTICLE 3. CREATION OF COMANCHE COUNTY CONSOLIDATED HOSPITAL DISTRICT

SECTION 3.01. Amends Section 3.01, Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, as follows:

Sec. 3.01. (a) Provides that the hospital district boundaries are coextensive with the boundaries of Comanche County, exclusive of that portion of the county that is in the South Eastland County Hospital District. Deletes text regarding commissioners precinct boundaries as they were on a certain date.

(b) Makes conforming changes.

SECTION 3.02. Amends Section 3.02, Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, to require the election in the DeLeon Hospital District and the election in the Comanche County Hospital District to be held on the same day and to be held before September 1, 2005, rather than the fifth anniversary of the effective date of this Act. Makes conforming changes.

SECTION 3.03. Amends Sections 3.03(a) and (c), Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, as follows:

(a) Deletes a specification that five persons serve as temporary directors of the Comanche County Consolidated, rather than the Leon Valley, Hospital District. Replaces five names of people to serve as temporary directors with five new names, while retaining the name of one person to serve as temporary director.

(c) Requires the temporary board to serve as the directors of the Comanche County Consolidated, rather than the Leon Valley, Hospital District until the initial elected directors take office.

SECTION 3.04. Amends Section 3.04, Chapter 132, Acts of the 74th Legislature, Regular session, 1995, as follows:

(a) Requires six initial directors to be elected at an election to be held on a certain date if the Comanche County Consolidated, rather than the Leon Valley, Hospital District is created.

(b) Authorizes the temporary directors to postpone the election date for one year or until a subsequent uniform election date if the temporary directors determine that it is in the best interest of the district to maintain the temporary directors in place for a period of not more than an additional 12 months.

(c) Requires three directors to be elected at large from the area within the boundaries of the Comanche county Hospital District as those boundaries existed on January 1, 2001, and three directors to be elected at large from the area within the boundaries of the DeLeon Hospital

District as those boundaries existed on January 1, 2001, at the election held to replace the temporary directors. Deletes text regarding the election of directors from county commissioner precincts.

(d) Provides that at the initial election of directors following creation of the Comanche County Consolidated, rather than the Leon Valley, Hospital District, the three candidates, rather than candidate, receiving the highest number of votes from the area within the boundaries of the Comanche County Hospital District as those boundaries existed on January 1, 2001, and the three candidates receiving the highest number of votes from the area within the boundaries of the DeLeon Hospital District as those boundaries existed on January 1, 2001, shall be the initial elected directors of the district. Deletes text regarding the election of the directors from the commissioners precincts.

(e) Requires the initial directors to each serve a term of three years, rather than draw lots to determine which three directors shall serve one-year terms and which two directors shall serve two-year terms.

(f) Requires the board, on or before the date the terms of the directors elected at the initial election expire, to determine and adopt a procedure for the election of six new directors either at large or by place. Requires the procedure to provide for appropriate representation of the residents of the district.

SECTION 3.05. Amends Sections 3.05(a) and (b), Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, as follows:

(a) Requires the first directors elected under the procedure adopted under Section 3.04(f) of this Act to be elected at an election held on the first Saturday in May at the end of the three-year terms of the initial elected board of directors. Requires the six directors elected at that time to draw lots to determine which two directors are required to serve one-year terms, which two directors are required to serve two-year terms, and which two directors are required to serve three-year terms. Requires all subsequent elections to be held each year on the first Saturday in May, with two directors being elected, each to a three-year term. Deletes text regarding annual director elections and two-year terms.

(b) Requires notice of each election to be published in a newspaper of general circulation in the district one time, not earlier than the 30th day or later than the 10th day before the date of the election. Deletes a requirement that the notice be posted at least 36 days before the date of the election.

SECTION 3.06. Amends Section 3.06, Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, to prohibit a person from being appointed or elected as a member of the temporary, initial, or permanent board of directors unless the person is a resident of the district and a qualified voter. Deletes text regarding a director elected from a commissioners precinct.

SECTION 3.07. Amends Section 3.08(a), Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, to make a conforming change.

SECTION 3.08. Amends Section 3.09(a), Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, to update a statutory reference.

SECTION 3.09. Amends Section 3.11(e), Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, to update a statutory reference.

SECTION 3.10. Amends Sections 3.12(c) and (d), Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, to update statutory references.

SECTION 3.11. Amends Section 3.13(a), Chapter 132, Acts of the 74th Legislature, Regular Session, 1995, to update statutory references.

ARTICLE 4. EFFECTIVE DATE

SECTION 4.01. Effective date: upon passage or September 1, 2001.