

BILL ANALYSIS

Senate Research Center
78R10043 DRH-D

H.B. 1251
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Administration
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Engrossed

DIGEST AND PURPOSE

Current law requires the board of directors of the Montgomery County Hospital District to order an election to dissolve the district if the board receives a petition requesting an election that is signed by 15 percent of the registered voters in the district. As of March 3, 2003, Montgomery County had 188,540 registered voters. The current statute would require 28,281 signatures in order for the board to call an election to decide the question of dissolving the district and disposing of its' assets.

H.B. 1251 requires the board to order an election if the board receives a petition signed by a number of voters equal to 15 percent of the total vote received by all candidates for governor in the most recent gubernatorial election. Applied to the 2002 gubernatorial election, which drew 75,058 votes in Montgomery County, the proposed legislation would require 11,259 signatures on a petition to dissolve the district.

This bill also states that an election cannot occur more than once every three years, and a valid petition that calls for an election cannot be submitted more than once every three years.

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 Sections 23B(a) and (d), Chapter 258, Acts of the 65th Legislature, Regular Session, 1977, as follows:

(a) Requires the board of directors of the Montgomery County Hospital District (board) to order an election on the question of dissolving the district and disposing of the district's assets and obligations if the board of directors receives a petition requesting an election that is signed by a number of residents of the district equal to at least 15 percent of the total vote received by all candidates for governor in the most recent gubernatorial general election, rather than 15 percent of registered voters, in the district that occurs more than 30 days before the date the petition is submitted to the board. Provides that if a petition submitted under this subsection does not contain the necessary number of valid signatures, a petition submitted under this subsection before the third anniversary of the date the invalid petition was submitted has no effect.

(d) Requires the board, if less than a majority of the votes in the election favor, rather than do not favor, dissolution, to continue to administer the Montgomery County Hospital District (district) and another election on the question of dissolution may not be held before the third, rather than fourth anniversary of the most recent election to dissolve the district.

SECTION 2. Effective date: January 1, 2004.

Makes application of this act prospective.