

BILL ANALYSIS

Senate Research Center

H.B. 4279
By: King, Tracy O. (Uresti)
Intergovernmental Relations
8/14/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Right now, the Frio Hospital District (district) does not include the City of Dilley and other parts of southwest Frio County because, when the district was created, Dilley was served by a local hospital. The hospital in Dilley has since closed, and now the City of Dilley lacks sufficient access to the medical services provided by such a hospital.

H.B. 4279 amends the Special District Local Laws Code to authorize registered voters to file a petition for annexation and to be annexed by the district after a vote is held in the area. This provision is written to apply to the Dilley area of Frio County. H.B. 4279 adds two directors to the hospital district's board representing the annexed area if annexation proceeds, expanding it from seven to nine members.

H.B. 4279 amends current law relating to expansion of the territory of the Frio Hospital District and to the election of the board of directors of the district.

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 1030.004, Special District Local Laws Code, as follows:

Sec. 1030.004. DISTRICT TERRITORY. Provides that, unless the Frio Hospital District's (district's) boundaries are expanded under Subchapter H, which is added by this Act, the boundaries of the district are coextensive with the boundaries of Frio County, Texas, with a certain exception. Makes a nonsubstantive change.

SECTION 2. Amends Sections 1030.051(a) and (b), Special District Local Laws Code, as follows:

(a) Provides that, unless the district's boundaries are expanded under Subchapter H, the district is governed by a board of seven directors (board). Makes a nonsubstantive change.

(b) Provides that, unless the district's boundaries are expanded under Subchapter H:

(1) creates this subdivision from existing text and makes nonsubstantive changes;

(2) creates this subdivision from existing text and makes a nonsubstantive change.

SECTION 3. Amends Section 1030.052, Special District Local Laws Code, to require that notice of an election of directors be published in accordance with Section 4.003 (Method of Giving Notice), Election Code, rather than to require that notice of an election be published one time in a newspaper with general circulation in the district at least 35 days before the date of an election of directors.

SECTION 4. Amends Section 1030.053, Special District Local Laws Code, as follows:

Sec. 1030.053. New heading: **BALLOT APPLICATION**. Requires a person who wants to have the person's name printed on the ballot as a candidate for director to file with the board secretary an application in accordance with Chapter 144 (Candidate for Office of Political Subdivision Other than County or City), Election Code, rather than file with the board secretary a petition requesting that action. Deletes existing text requiring that the petition fulfill certain criteria.

SECTION 5. Amends Chapter 1030, Special District Local Laws Code, by adding Subchapter H, as follows:

SUBCHAPTER H. EXPANSION OF TERRITORY TO INCLUDE ALL OF FRIO COUNTY

Sec. 1030.351. **PETITION TO EXPAND DISTRICT TERRITORY**. (a) Authorizes registered voters of a defined territory composed of all territory within Frio County that does not include the territory of the district to file a petition with the board secretary requesting inclusion of the territory in the district.

(b) Requires that the petition be signed by at least 50 registered voters of the territory or a majority of those voters, whichever is less.

Sec. 1030.352. **NOTICE OF HEARING**. (a) Requires the board, by order, to set a time and place to hold a hearing on the petition described by Section 1030.351.

(b) Prohibits the hearing from being held earlier than the 31st day after the date the board issues the order.

Sec. 1030.353. **ORDER OF ANNEXATION**. (a) Authorizes the board, if, after the hearing, the board finds that annexation of the territory into the district would be feasible and would benefit the district, to approve the annexation by a resolution entered in its minutes.

(b) Provides that the board is not required to include all of the territory described in the petition if the board finds that a change is necessary or desirable.

Sec. 1030.354. **RATIFICATION ELECTION**. (a) Provides that annexation of territory is final when approved by a majority of the voters at an election held in the district and a separate election held on the same date in the territory to be annexed.

(b) Requires the voters in the elections to approve annexation, if the district has outstanding debts or taxes, to also determine whether the annexed territory will assume its portion of the debts or taxes on annexation.

Sec. 1030.355. **BALLOT**. Requires that the ballot for the elections be printed to permit voting for or against certain propositions, as applicable.

Sec. 1030.356. **ANNEXATION ELECTION**. (a) Requires that an election held under this subchapter to annex territory be ordered in accordance with Chapter 3 (Ordering Election), Election Code.

(b) Requires that notice of an election held to annex territory be given as provided by Chapter 4 (Notice of Election), Election Code.

Sec. 1030.357. **COMPOSITION AND ELECTION OF BOARD FOLLOWING ANNEXATION**. (a) Requires the board, if annexation is approved, to be governed by a board of nine directors with two directors elected from each commissioners precinct and one director elected at large.

(b) Requires the board, at the next regularly scheduled board meeting following the canvassing of the election to expand the district's territory, to appoint two individuals who meet the qualifications under Section 1030.054 (Qualifications for Office) to serve as temporary directors representing Precinct 4 until the date of the next regular election of directors.

(c) Requires that two directors be elected from Precinct 4 on the date of the next regular election following the approval of annexation, in addition to the directors scheduled to be elected at that election.

(d) Requires the two initial directors elected from Precinct 4 to draw lots to determine which director is required to serve a one-year term.

SECTION 6. Effective date: upon passage or September 1, 2017.