

BILL ANALYSIS

Senate Research Center
86R15288 JCG-F

H.B. 4569
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The board of directors of the Ector County Hospital District (board; district) is comprised of seven directors, each elected from single-member districts in odd-numbered years. However, this reality is not reflected in statute.

H.B. 4569 seeks to create greater transparency and understanding for the public to determine the legal composition of the board. Furthermore, H.B. 4569 grants the board the ability to remove a director for matters related to frequent absences from board meetings.

H.B. 4569 amends current law relating to the operation of the Ector County Hospital 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 Sections 1024.051(a) and (d), Special District Local Laws Code, as follows:

(a) Provides that the district is governed by a board of seven directors elected from single-member districts, rather than a board of seven directors.

(d) Requires an election to be held on the uniform election date in May of each odd-numbered year, rather than each even-numbered year, to elect the appropriate number of directors.

SECTION 2. Amends Section 1024.054(b), Special District Local Laws Code, as follows:

(b) Requires a person who is elected from a single-member district or who is appointed to fill a vacancy for a single-member district, in addition to Subsection (a) (relating to eligibility to be a candidate or director), to be a resident of that single-member district, rather than requiring a person who is elected from a commissioners precinct or who is appointed to fill a vacancy for a commissioner's precinct, in addition to Subsection (a), to be a resident of that commissioner's precinct.

SECTION 3. Amends Subchapter B, Chapter 1024, Special District Local Laws Code, by adding Section 1024.0545, as follows:

Sec. 1024.0545. GROUND FOR REMOVAL. (a) Provides that it is a ground for removal from the board that a director is absent from more than half of the regularly scheduled board meetings that the director is eligible to attend in any 12-month period without an excuse approved by a majority vote of the board.

(b) Provides that the validity of an action of the board is not affected by the fact that the action is taken when a ground for removal of a director exists.

(c) Authorizes a director to be removed for a ground provided by this section using the procedures provided by Subchapter B (Removal by Petition and Trial), Chapter 87, Local Government Code, for removing a county official.

SECTION 4. Repealer: Section 1024.051(b) (relating to providing that, except as provided by court order, one director is elected from each commissioner's precinct and three directors are elected from the district at large), Special District Local Laws Code.

SECTION 5. (a) Provides that the legislature validates and confirms all governmental acts and proceedings of the board that were taken before the effective date of this Act.

(b) Provides that this section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment.

SECTION 6. Effective date: upon passage or September 1, 2019.