

BILL ANALYSIS

C.S.H.B. 1648
By: Hughes
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Wood County Central Hospital District was created by statute in 1967. The hospital district includes every school district in Wood County except for Mineola ISD.

C.S.H.B. 1648 adds Mineola ISD to the list of school districts able to be annexed into the Hospital District. Annexation would require voter approval, and currently, Quitman ISD is the only school district that is a member of the hospital district.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 2, Chapter 293, Acts of the 60th Legislature, Regular Session, 1967, to provide that the boundaries of the Wood County Central Hospital District are coterminous with the Quitman Independent School District unless the boundaries are expanded under this Act.

SECTION 2. Amends Chapter 293, Acts of the 60th Legislature, Regular Session, 1967, by adding Section 7C, which provides for the annexation, with voter approval, of territory within the boundaries of Mineola ISD. Annexation is initiated by a petition signed by at least 50 registered voters within the boundaries of Mineola ISD or a majority of the voters, whichever is less.

The board is required to set a time and place to hold a hearing on the petition not earlier than the 31st day after the date the court issues the order.

If, after holding a hearing on the potential annexation, the board of directors of the hospital district determine it is in the best interest of the hospital district to annex Mineola ISD, the board is authorized to approve the annexation by a resolution.

Annexation is final when approved by a majority of the voters at an election held in the district and by a majority of the voters at a separate election held on the same date in the territory to be annexed. If the district has outstanding debts or taxes, the voters must also determine if the annexed territory will assume its proportion of the debts or taxes if added to the district. The ballots are required to be printed to provide voting for or against both questions.

It is required that the elections be held after the 45th day and on or before the 60th day after the date the elections are ordered. Section 41.001(a), Election Code, does not apply.

Once annexation is approved, the board is required to appoint a resident of the Mineola ISD to serve as a temporary director until the date of the next regular election of directors.

From the time the temporary director is appointed until the date a majority of the members elected on the next regular election have qualified for office the board is composed of seven members; four members constitute a quorum; and a concurrence of four is sufficient in all matters pertaining to the district.

C.S.H.B. 1648 79(R)

On the date of the next regular election following approval of annexation, five directors are required to be elected from the area of the district that is composed of the Quitman ISD; five directors from Mineola ISD; and three directors are required to be elected at large.

On the date a majority of the directors elected have qualified for office, the term of office of any director elected or appointed to the board before that election expires; and the directors elected are required to draw lots to determine which director from the Quitman ISD serves a one-year term, which two directors from that area serve two-year terms, and which two directors from that area serve three-year terms; which director from Mineola ISD serves a one-year term; which two directors serve two-year terms; and which two directors serve three-year terms; and which director elected at large serves a one-year term, which director serves a two-year term, and which director serves a three-year term.

Beginning on the date a majority of the members elected qualify for office the board is composed of 13 members; seven members constitute a quorum; and a concurrence of seven is sufficient in all matters pertaining to the district.

Successor directors are required to be elected so that five directors are elected from the Quitman ISD; five directors are elected from the Mineola ISD; and three directors are elected from the district at large.

Following each census, the board is required to evaluate electoral areas to ensure that all the areas comply with the requirements of federal election laws and are required to adjust the jurisdiction of the areas in accordance with federal requirements.

SECTION 3. Effective Date

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute varies from the original in that it makes specifies the size of the board of directors after the date a majority of the members elected in the next regular election after annexation have qualified for office, from where each member of the board will be elected, and staggers their terms of office. The substitute also adds to the original, a provision that following each census, the boars is required to ensure that all electoral areas comply with federal requirements, and adjust the jurisdiction in accordance with federal requirements.