

BILL ANALYSIS

S.B. 919
By: Duncan
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Act creating the Lynn County Hospital District (district) was passed by the 60th Legislature, Regular Session, 1967, and was amended by the 73rd Legislature, Regular Session, 1993.

As proposed, S.B. 919 establishes requirements for district board membership and provides for legal removal of members not in compliance. S.B. 919 requires members to attend at least three-fourths of regularly scheduled board meetings. Further, S.B. 919 requires board members to be current on all federal, state, or local taxes, including ad valorem tax.

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 Chapter 66, Acts of the 60th Legislature, Regular Session, 1967, by adding Section 4A, as follows:

Sec. 4A. (a) Sets forth grounds for removal from the board of directors of the Lynn County Hospital District (board).

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

(c) Requires the administrator or the manager of the hospital district, if the administrator or the manager has knowledge that a potential ground for removal exists, to notify the president of the board of the potential ground. Requires the president to then notify the county attorney and district attorney that a potential ground for removal exists and request that the county or district attorney bring an action in the nature of quo warranto under Chapter 66 (Quo Warranto), Civil Practice and Remedies Code, as appropriate. Requires the administrator or the manager, if the potential ground for removal involves the president, to notify the vice president of the board who then is required to notify the county attorney and district attorney that a potential ground for removal exists and request an action in the nature of quo warranto.

SECTION 2. Effective date

EFFECTIVE DATE

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