

BILL ANALYSIS

S.B. 1635
By: Duncan
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Schleicher County Hospital District (district) has recognized that it may be in its best interest to include surrounding areas in their healthcare delivery system. The district is frequently providing healthcare to these areas, and it may be more beneficial to the district to proactively cover citizens and clinics in those surrounding areas.

As proposed, S.B. 1365 allows for the district to provide, upon approval of the board of directors of the Schleicher County Hospital District (board), medical services to areas outside the boundaries of the district, if the services provided serve the purpose of the district. S.B. 1365 also allows the board to adopt an order that provides for the election of the board from five single-member districts and provides the procedures for the election of such members.

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 1, Chapter 38, Acts of the 60th Legislature, Regular Session, 1967, to authorize the Schleicher County Hospital District (district), on approval of the board of directors of the district (board), to provide primary care, emergency services, preventive medical services, and other health-related services outside the boundaries of the district if the services provided serve the purpose of the district.

SECTION 2. Amends Section 3, Chapter 38, Acts of the 60th Legislature, Regular Session, 1967, as follows:

Sec. 3. (a) Provides that the board consists of seven directors elected from the district at large who serve two-year staggered terms. Requires a director to continue to serve until a successor has been duly elected or appointed and qualified. Requires that no person be appointed or elected as a member of the board of directors of said hospital district unless he is a resident thereof, rather than and owns property to taxation therein, and unless at the time of such election or appointment he be more than 21 years of age. Deletes existing text relating the election to create the district and the terms of the initial board members.

(b) Requires a majority, rather than any four members, of the board to constitute a quorum and a concurrence of a majority to be sufficient in all matters pertaining to the business of the district. Makes conforming changes.

(c) Requires a regular election of directors to be held on a date authorized by Chapter 41 (Election Dates and Hours of Voting), Election Code, rather than on the first Saturday in April of each year, and notice of such election to be published in a newspaper of general circulation in the county one time at least 10 days prior to the date of the election. Requires the petition and an applicant for a place on the ballot that meets the requirements of the Election Code to be filed in the manner provided by the Chapter 144 (Candidate for Office of Political Subdivision Other Than County or City), Election Code. Deletes existing text relating to the timeline to file a petition.

SECTION 3. Amends Chapter 38, Acts of the 60th Legislature, Regular Session, 1967, by adding Section 3A, as follows:

Sec. 3A. (a) Authorizes the board to adopt an order providing for the election of directors from five single-member districts.

(b) Requires the board, if the board adopts an order under Subsection (a) of this section, to create a plan that provides for five numbered single-member districts for the election of directors. Provides that each election district elects one member. Authorizes the election districts to be coextensive with single-member districts used to elect members of the governing body of a school district if the territory of the school district is coextensive with the territory of the hospital district and the school district elects five members from single-member districts.

(c) Requires a person, except as provided by Subsection (e) of this section, to be eligible to be a candidate or to serve as director, to be a resident of the election district that the person represents or seeks to represent.

(d) Requires a person to indicate on the application for a place on the ballot the election district that the person seeks to represent.

(e) Authorizes the directors to revise election district boundaries as necessary and requires the directors to revise the boundaries of each election district after each federal decennial census to reflect population changes. Provides that when the boundaries of an election district are redrawn, a director in office on the effective date of the change, or elected or appointed before the effective date of the change to a term of office beginning on or after the effective date of the change, shall serve the term or the remainder of the term in the election district to which elected or appointed even though the change in boundaries places the person's residence outside the election district for which the person was elected or appointed, except as provided by Subsection (f) of this section.

(f) Requires all five positions on the board, at the first election for directors that occurs following the adoption of an order under Subsection (a), to be filled. Provides that after the canvass of the returns of the election, the terms of all members serving on the board at the time of the election expire. Requires the directors, at the first meeting of the directors elected to the board under this section, to draw lots to determine which three serve terms lasting two years and which two serve terms lasting one year. Provides that after the terms of directors initially elected to the board under this section expire, each director serves a term of two years.

SECTION 4. Amends Section 5(a), Chapter 38, Acts of the 60th Legislature, Regular Session, 1967, to include providing for the operation and maintenance of hospital related facilities in the list of appropriate expenditures of monies collected by the district.

SECTION 5. Effective date

EFFECTIVE DATE

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