

By: West

H.B. No. 97

Substitute the following for H.B. No. 97:

By: Allen of Dallas

C.S.H.B. No. 97

A BILL TO BE ENTITLED

AN ACT

relating to the Ector County Hospital District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 4.07, Chapter 550, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 4.07. BOND; INSURANCE. (a) Before assuming the duties of the office, each director must execute a bond [~~for \$5,000~~] payable to the district or purchase an appropriate insurance policy that names the district as its sole beneficiary, conditioned on the faithful performance of the person's duties as director. The board shall determine the appropriate type and value of the bond or insurance policy required for directors under this section.

(b) The bond or insurance policy shall be kept in the permanent records of the district.

(c) The board may pay for directors' bonds and insurance policies and premiums with district funds.

SECTION 2. Section 5.07, Chapter 550, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 5.07. CONSTRUCTION CONTRACTS. (a) The board may enter into construction contracts on behalf of the district; however, the board may enter into construction contracts that involve spending more than the amount provided by Section 271.024, Local Government Code, [~~\$10,000~~] only after competitive bidding as provided by Subchapter B, Chapter 271, Local Government Code.

1           (b) Chapter 2253, Government Code [~~Article 5160, Revised~~  
2 ~~Statutes~~], as it relates to performance and payment bonds, applies  
3 to construction contracts let by the district.

4           SECTION 3. The heading to Section 5.15, Chapter 550, Acts of  
5 the 71st Legislature, Regular Session, 1989, is amended to read as  
6 follows:

7           Sec. 5.15. AUTHORITY TO SUE AND BE SUED; VENUE; NON-WAIVER  
8 OF IMMUNITY.

9           SECTION 4. Section 5.15, Chapter 550, Acts of the 71st  
10 Legislature, Regular Session, 1989, is amended by adding Subsection  
11 (c) to read as follows:

12           (c) Nothing in this Act may be construed to waive sovereign  
13 or governmental immunity.

14           SECTION 5. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2005.