

By: Hughes

H.B. No. 1648

Substitute the following for H.B. No. 1648:

By: Allen of Dallas

C.S.H.B. No. 1648

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the expansion of the boundaries of the Wood County
3 Central Hospital District of Wood County.

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

5 SECTION 1. Section 2, Chapter 293, Acts of the 60th
6 Legislature, Regular Session, 1967, is amended to read as follows:

7 Sec. 2. BOUNDARIES. The boundaries of this district are
8 coterminous with the boundaries of the Quitman Independent School
9 District as they exist on the effective date of this Act, unless the
10 boundaries are expanded under Section 7C of this Act or other
11 applicable law.

12 SECTION 2. Chapter 293, Acts of the 60th Legislature,
13 Regular Session, 1967, is amended by adding Section 7C to read as
14 follows:

15 Sec. 7C. EXPANSION OF DISTRICT TERRITORY TO INCLUDE
16 TERRITORY OF MINEOLA INDEPENDENT SCHOOL DISTRICT. (a) Registered
17 voters of a defined territory composed of all territory within the
18 boundaries of the Mineola Independent School District may file a
19 petition with the secretary of the board of directors requesting
20 the inclusion of the territory in the district. The petition must
21 be signed by at least 50 registered voters of the defined territory
22 or a majority of those voters, whichever is less.

23 (b) The board shall set a time and place to hold a hearing on
24 the petition to include the territory in the district. The board

1 shall set a date for the hearing that is not earlier than the 31st
2 day after the date the court issues the order.

3 (c) If after the hearing the board finds that annexation of
4 the territory into the district would be feasible and would benefit
5 the district, the board may approve the annexation by a resolution
6 entered in its minutes.

7 (d) Annexation of the territory is final when approved by a
8 majority of the voters at an election held in the district and by a
9 majority of the voters at a separate election held on the same date
10 in the territory to be annexed. If the district has outstanding
11 debts or taxes, the voters in the election to approve the annexation
12 must also determine if the annexed territory will assume its
13 proportion of the debts or taxes if added to the district.

14 (e) The election ballots shall be printed to provide for
15 voting for or against the following, as applicable:

16 (1) "Adding the territory within the boundaries of the
17 Mineola Independent School District to the Wood County Central
18 Hospital District of Wood County."; or

19 (2) "The territory within the boundaries of the
20 Mineola Independent School District assuming its proportionate
21 share of the outstanding debts and taxes of the Wood County Central
22 Hospital District of Wood County, if it is added to the district."

23 (f) The elections shall be held after the 45th day and on or
24 before the 60th day after the date the elections are ordered.
25 Section 41.001(a), Election Code, does not apply to an election
26 held under this section.

27 (g) Once annexation is approved, the board shall appoint a

1 resident of the Mineola Independent School District to serve as a
2 temporary director until the date of the next regular election of
3 directors.

4 (h) Notwithstanding any other provision of this Act,
5 beginning on the date the temporary director is appointed as
6 required by Subsection (g) of this section and ending on the date a
7 majority of the members elected in the next regular election have
8 qualified for office:

9 (1) the board is composed of seven members;

10 (2) four members of the board constitute a quorum; and

11 (3) a concurrence of four is sufficient in all matters
12 pertaining to the district.

13 (i) Notwithstanding any other provision of this Act, on the
14 date of the next regular election following the approval of
15 annexation:

16 (1) five directors shall be elected from the area of
17 the district that is composed of the jurisdiction of the Quitman
18 Independent School District;

19 (2) five directors shall be elected from the area of
20 the district that is composed of the jurisdiction of the Mineola
21 Independent School District; and

22 (3) three directors shall be elected from the district
23 at large.

24 (j) Notwithstanding any other provision of this Act, on the
25 date a majority of the directors elected to the board under
26 Subsection (i) have qualified for office:

27 (1) the term of office of any director elected or

1 appointed to the board before that election expires; and

2 (2) the directors elected to the board under
3 Subsection (i) of this section shall draw lots to determine:

4 (A) which director elected from the area of the
5 district that is composed of the jurisdiction of the Quitman
6 Independent School District serves a one-year term, which two
7 directors elected from that area serve two-year terms, and which
8 two directors elected from that area serve three-year terms;

9 (B) which director elected from the area of the
10 district that is composed of the jurisdiction of the Mineola
11 Independent School District serves a one-year term, which two
12 directors elected from that area serve two-year terms, and which
13 two directors elected from that area serve three-year terms; and

14 (C) which director elected from the district at
15 large serves a one-year term, which director elected from the
16 district at large serves a two-year term, and which director
17 elected from the district at large serves a three-year term.

18 (k) Notwithstanding any other provision of this Act,
19 beginning on the date a majority of the members elected under
20 Subsection (i) qualify for office:

21 (1) the board is composed of 13 members;

22 (2) seven members of the board constitute a quorum;

23 and

24 (3) a concurrence of seven is sufficient in all
25 matters pertaining to the district.

26 (l) Successor directors shall be elected as provided by
27 Subsections (i) and (j) so that:

1 (1) five directors are elected from the area of the
2 district that is composed of the jurisdiction of the Quitman
3 Independent School District;

4 (2) five directors are elected from the area of the
5 district that is composed of the jurisdiction of the Mineola
6 Independent School District; and

7 (3) three directors are elected from the district at
8 large.

9 (m) Following each decennial federal census, the board
10 shall evaluate the electoral areas described by Subsection (1) of
11 this section to ensure that the areas comply with the requirements
12 of federal election laws and shall adjust the jurisdiction of the
13 areas in accordance with federal requirements.

14 SECTION 3. 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.