

By: Solis

H.B. No. 3367

A BILL TO BE ENTITLED

AN ACT

relating to the creation and operation of health services districts.

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

SECTION 1. Amend Section 287.150, Health and Safety Code, to read as follows:

Section 287.021. CREATION BY RESOLUTION OR CONCURRENT ORDERS. (a) Except as provided by Subsection (b), a county or a hospital district ~~[and one or more other counties or hospital districts]~~ may create a health services district by adopting a resolution. A county or hospital district and one or more other counties or hospital districts may create a health services district by adopting concurrent orders.

(b) A county or portion of a county that is in the boundaries of a hospital district may not be a party to the creation of a health services district or to a contract with a health services district. The hospital district that serves the county or portion of the county may create and contract with the health services district for the boundaries of the hospital district.

(c) A concurrent order to create a health services district must:

(1) be approved by the governing body of each creating county and hospital district;

(2) contain identical provisions; and

1 (3) define the boundaries of the district to be
2 coextensive with the combined boundaries of each creating county
3 and hospital district.

4 (d) A concurrent order to create a health services district
5 adopted by a hospital district for which the tax rate is set by the
6 commissioners court of the county in which the hospital district
7 operates must be approved by the commissioners court of that
8 county.

9 SECTION 2. Subchapter D, Title 4, Health and Safety Code, is
10 amended by adding Section 287.150 to read as follows:

11 Section 287.150. WITHDRAWAL OF COUNTY FROM A DISTRICT. (a)
12 A county may withdrawal from a health services district created and
13 established under this Chapter. A withdrawal by a county from a
14 health services district becomes effective immediately upon the
15 adoption of a resolution to that effect by the commissioners court
16 of that county. Upon a withdrawal by a county from a health
17 services district in accordance with this section:

18 (1) all unexpended funds contributed to or held by the
19 district from the withdrawing county shall be immediately returned
20 or credited to the withdrawing county; and

21 (2) the withdrawing county may create or establish a
22 health services district in accordance with this Chapter.

23 (b) The withdrawal of a county from a health services
24 district does not dissolve a district, and a district created and
25 established under this Chapter retains the powers and duties
26 granted by this Chapter.

27 SECTION 3. This Act takes effect immediately if it receives

H.B. No. 3367

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2005.