

1-1 By: Duncan S.B. No. 434
1-2 (In the Senate - Filed February 9, 2005; February 15, 2005,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; April 14, 2005, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; April 14, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the powers and duties of the Lockney General Hospital
1-9 District.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 4, Chapter 58, Acts of the 63rd
1-12 Legislature, Regular Session, 1973, is amended to read as follows:

1-13 Sec. 4. (a) ~~[Upon the effective date of this Act, the~~
1-14 ~~Commissioners Court of Floyd County shall appoint five temporary~~
1-15 ~~directors for the district. Each of the directors shall subscribe~~
1-16 ~~to the constitutional oath of office. Should any of the directors~~
1-17 ~~named by the court refuse to act or for any reason fail to qualify as~~
1-18 ~~herein required or should a vacancy in office occur, the~~
1-19 ~~commissioners court shall fill such vacancy. The terms of office of~~
1-20 ~~the first three directors named by the court shall expire on the~~
1-21 ~~first Tuesday in April, 1975, and the terms of the last two~~
1-22 ~~directors named by the court shall expire on the first Tuesday in~~
1-23 ~~April, 1974.]~~ A regular election for directors shall be held on the
1-24 May uniform election date under Section 41.001, Election Code,
1-25 [first Tuesday in April in] each year [beginning in 1974], and
1-26 directors shall be elected at that time and in each succeeding year.
1-27 The regular election for directors shall be ordered by the board and
1-28 such order shall state the time, place, and purpose of the election.
1-29 The board shall appoint the presiding judge who shall appoint an
1-30 assistant judge and such clerks as may be required. The election
1-31 shall be ordered in accordance with Section 3.005, Election Code
1-32 [at least 15 days prior to the date on which the election is to be
1-33 held]. Any person desiring the person's [his] name to be printed on
1-34 the ballot as a candidate for director shall file an application [a
1-35 petition, signed by not less than 10 qualified voters, asking that
1-36 such name be printed on the ballot,] with the secretary of the board
1-37 of directors of the district in accordance with Chapter 144,
1-38 Election Code. [Such petition shall be filed with the secretary at
1-39 least 25 days prior to the date of election.] Notice of the
1-40 election shall be published one time in a newspaper of general
1-41 circulation in the area of the district in accordance with Section
1-42 4.003, Election Code [at least five days before the election]. All
1-43 vacancies in office[, other than for the failure of four or more of
1-44 the original directors herein appointed to qualify,] shall be
1-45 filled by a majority vote of the remaining directors and such
1-46 appointees shall hold office for the unexpired term for which they
1-47 were appointed.

1-48 (b) No director shall be entitled to compensation, but shall
1-49 be entitled to reimbursement of [receive his] actual expenses
1-50 incurred in attending to the district's business, provided such
1-51 expenses are approved by the remainder of the board. Any person who
1-52 is a resident [property-owning taxpaying] voter of the district and
1-53 who is not an employee of the district shall be eligible to hold
1-54 office as director of the district but no director may serve more
1-55 than three successive terms. The board of directors shall elect
1-56 from its number a president, vice-president, secretary, and such
1-57 other officers as in the judgment of the board are necessary. [The
1-58 president shall be the chief executive officer of the district and
1-59 shall have the same right to vote as any other director.] The
1-60 vice-president shall perform all duties and exercise all powers
1-61 conferred by this Act upon the president when the president is
1-62 absent or fails and declines to act.

1-63 (c) ~~[The directors initially named and their successors in~~
1-64 ~~office shall hold office as temporary directors until such time as~~

2-1 ~~the creation of the district has been approved at an election as~~
 2-2 ~~herein provided or for a period of two years, whichever period is~~
 2-3 ~~shorter. At such time as the creation of the district is so~~
 2-4 ~~approved and the returns of the election officially canvassed, the~~
 2-5 ~~persons acting as temporary directors shall become permanent~~
 2-6 ~~directors whose terms shall expire as hereinabove provided.] Each~~
 2-7 ~~[permanent] director[, and his successors in office,] shall qualify~~
 2-8 ~~by executing the constitutional oath of office.~~

2-9 SECTION 2. Section 5, Chapter 58, Acts of the 63rd
 2-10 Legislature, Regular Session, 1973, is amended to read as follows:

2-11 Sec. 5. (a) The board of directors shall manage, control,
 2-12 and administer the hospital system and all funds and resources of
 2-13 the district, but in no event shall any operating, depreciation, or
 2-14 building fund reserves be invested in any funds or securities other
 2-15 than those specified in Subchapter A, Chapter 2256, Government Code
 2-16 ~~[Article 836 or 837, Revised Civil Statutes of Texas, 1925, as~~
 2-17 ~~amended].~~

2-18 (b) The district, through its board of directors shall have
 2-19 the power and authority to sue and be sued, to promulgate rules and
 2-20 regulations governing the operation of the hospital, hospital
 2-21 system, its staff, and its employees.

2-22 (c) The board of directors shall appoint a qualified person
 2-23 to be known as the administrator or manager of the hospital district
 2-24 and may in its discretion appoint an assistant to the administrator
 2-25 or manager. The administrator or manager and assistant
 2-26 administrator or manager, if any, shall serve at the will of the
 2-27 board and shall receive such compensation as may be fixed by the
 2-28 board. The administrator or manager shall, upon assuming the
 2-29 administrator's or manager's ~~[his]~~ duties, execute a bond payable
 2-30 to the hospital district in an amount to be set by the board of
 2-31 directors, in no event less than \$5,000, conditioned that the
 2-32 administrator or manager ~~[he]~~ shall perform the duties required of
 2-33 the administrator or manager ~~[him]~~, and containing such other
 2-34 conditions as the board may require. The board of directors may pay
 2-35 for the bond with district funds. The administrator or manager
 2-36 shall supervise all the work and activities of the district and
 2-37 shall have general direction of the affairs of the district,
 2-38 subject to the limitations as may be prescribed by the board.

2-39 (d) The board of directors shall have the authority to
 2-40 appoint to the staff physicians, dentists, and podiatrists as the
 2-41 board determines are ~~[such doctors as it may be deemed]~~ necessary
 2-42 for the efficient operation of the district, and may provide for
 2-43 temporary appointments to the staff if warranted by circumstances.
 2-44 The board may delegate to the administrator or manager the
 2-45 authority to employ technicians, nurses, and employees of the
 2-46 district. The board shall be authorized to contract with any other
 2-47 political subdivision or governmental agency whereby the district
 2-48 will provide investigatory or other services as to the medical,
 2-49 hospital, or welfare needs of the inhabitants of the district and
 2-50 shall be authorized to contract with any county or incorporated
 2-51 municipality located outside its boundaries for the care and
 2-52 treatment of the sick, diseased, or injured persons of any such
 2-53 county or municipality, and shall have the authority to contract
 2-54 with the State of Texas or agencies of the federal government for
 2-55 the treatment of the sick, diseased, or injured persons.

2-56 (e) The board of directors may spend district money, enter
 2-57 into agreements, and take other necessary action to recruit
 2-58 physicians and other persons to serve as medical staff members or
 2-59 district employees. The actions may include:

2-60 (1) advertising and marketing;
 2-61 (2) paying travel, recruitment, and relocation
 2-62 expenses;

2-63 (3) providing a loan or scholarship to a physician or a
 2-64 person currently enrolled in health care education courses at an
 2-65 institution of higher education who contracts to become a medical
 2-66 staff member or district employee; or

2-67 (4) contracting with a full-time medical student or
 2-68 other student in a health occupation who is enrolled in and in good
 2-69 standing at an accredited medical school, college, or university to

3-1 pay the student's tuition or other expenses for the consideration
 3-2 of the student agreeing to serve as an employee or independent
 3-3 contractor for the district.

3-4 SECTION 3. Chapter 58, Acts of the 63rd Legislature,
 3-5 Regular Session, 1973, is amended by adding Section 5A to read as
 3-6 follows:

3-7 Sec. 5A. (a) The district may create and sponsor a
 3-8 nonprofit corporation under the Business Organizations Code and may
 3-9 contribute money to or solicit money for the corporation.

3-10 (a-1) On or before December 31, 2009, the district may
 3-11 create and sponsor a nonprofit corporation under the Texas
 3-12 Non-Profit Corporation Act (Article 1396-1.01, et seq., Vernon's
 3-13 Texas Civil Statutes) or the Business Organizations Code, as
 3-14 applicable, and may contribute money to or solicit money for the
 3-15 corporation.

3-16 (b) A corporation created under this section may use money
 3-17 contributed by the district only to provide health care or other
 3-18 services the district is authorized to provide under this Act.

3-19 (c) The corporation may invest the corporation's money in
 3-20 any manner in which the district may invest the district's money,
 3-21 including investing money as authorized by Chapter 2256, Government
 3-22 Code.

3-23 (d) The board of directors shall establish controls to
 3-24 ensure that the corporation uses its money as required by this
 3-25 section.

3-26 (e) This subsection and Subsection (a-1) expire December
 3-27 31, 2009.

3-28 SECTION 4. Section 7, Chapter 58, Acts of the 63rd
 3-29 Legislature, Regular Session, 1973, is amended to read as follows:

3-30 Sec. 7. The board of directors shall have the power and
 3-31 authority to issue and sell general obligation bonds in the name and
 3-32 upon the faith and credit of the district for the purchase,
 3-33 construction, acquisition, repair, or renovation of buildings and
 3-34 improvements and equipping the same for hospital purposes, and for
 3-35 any or all of such purposes. At the time of the issuance of any
 3-36 general obligation bonds, [~~except revenue bonds issued under~~
 3-37 ~~Section 8(b) hereof,~~] a tax shall be levied by the board sufficient
 3-38 to create an interest and sinking fund to pay the interest on and
 3-39 principal of said bonds, as same mature, providing such tax
 3-40 together with any other taxes levied for said district shall not
 3-41 exceed the limit approved by the voters at the election authorizing
 3-42 the imposition of taxes [~~rate of tax voted under the provisions of~~
 3-43 ~~Section 3 of this Act]. General obligation bonds may not [~~Except as~~~~
 3-44 ~~provided in Section 8, no bonds shall]~~ be issued by or on behalf of
 3-45 the hospital district until authorized by a majority of the
 3-46 qualified electors of the district. The order for the bond election
 3-47 and the publication of notice for the election must be provided in
 3-48 accordance with Chapter 1251, Government Code. The election [~~shall~~
 3-49 ~~specify the date of the election, the amount of bonds to be~~
 3-50 ~~authorized, the maximum maturity thereof, the maximum rate of~~
 3-51 ~~interest they are to bear, the place or places where the election~~
 3-52 ~~shall be held, the presiding judge and alternate judge for each~~
 3-53 ~~voting place, and the clerks as in county elections. Notice of any~~
 3-54 ~~bond election shall be published as provided in Article 704,~~
 3-55 ~~Revised Civil Statutes of Texas, 1925, as amended, and]~~ shall be
 3-56 conducted in accordance with the general laws of this state [~~Texas~~
 3-57 pertaining to general elections, except as modified by the
 3-58 provisions of this Act[, ~~provided, however, an election to~~
 3-59 ~~authorize the issuance of bonds may be held at the same time as the~~
 3-60 ~~election for which provision is made in Section 3 of this Act, and~~
 3-61 ~~in such event notice of a bond election may be given in the manner~~
 3-62 ~~provided in Section 3 of this Act].~~

3-63 SECTION 5. Section 8, Chapter 58, Acts of the 63rd
 3-64 Legislature, Regular Session, 1973, is amended to read as follows:

3-65 Sec. 8. (a) Refunding bonds may be issued by the board of
 3-66 directors for the purpose of refunding and paying off any
 3-67 outstanding indebtedness it has issued or assumed. Such refunding
 3-68 bonds may be sold and the proceeds thereof applied to the payment of
 3-69 outstanding indebtedness, or may be exchanged in whole or in part

4-1 for not less than a like principal amount of such outstanding
 4-2 indebtedness. If such refunding bonds are to be sold and the
 4-3 proceeds thereof applied to the payment of any such outstanding
 4-4 indebtedness, same shall be issued and payments made in accordance
 4-5 with Chapter 1207, Government Code [~~the manner specified by Chapter~~
 4-6 ~~503, Acts of the 54th Legislature, 1955, as amended (Article 717k,~~
 4-7 ~~Vernon's Texas Civil Statutes)]. Refunding bonds shall not bear
 4-8 interest in excess of the rate permitted by Chapter 1204,
 4-9 Government Code [~~Chapter 784, Acts of the 61st Legislature, Regular~~
 4-10 ~~Session, 1969, as amended (Article 717k-3, Vernon's Texas Civil~~
 4-11 ~~Statutes)].~~~~

4-12 (b) ~~The [In addition to the power to issue bonds payable~~
 4-13 ~~from taxes levied by the district, as contemplated by the preceding~~
 4-14 ~~section, the] board is [further] authorized to issue, and to refund~~
 4-15 ~~any previously issued, revenue bonds for purchasing, constructing,~~
 4-16 ~~acquiring, repairing, equipping, or renovating buildings and~~
 4-17 ~~improvements for hospital purposes, and for acquiring sites~~
 4-18 ~~therefor, such bonds to be payable from and secured by a pledge of~~
 4-19 ~~all or any part of the revenues of the district to be derived from~~
 4-20 ~~the operation of its hospital or hospitals, and such bonds may be~~
 4-21 ~~additionally secured by a mortgage or deed of trust lien on any part~~
 4-22 ~~or all of its properties. Such bonds shall be issued in the manner~~
 4-23 ~~and in accordance with the procedures and requirements specified~~
 4-24 ~~for the issuance of revenue bonds by county hospital authorities in~~
 4-25 ~~Sections 264.042, 264.043, and 264.046-264.049, Health and Safety~~
 4-26 ~~Code [Sections 8, 10, 11, 12, and 13, Chapter 122, Acts of the 58th~~
 4-27 ~~Legislature, 1963 (Article 4494r, Vernon's Texas Civil Statutes)].~~

4-28 SECTION 6. Section 9, Chapter 58, Acts of the 63rd
 4-29 Legislature, Regular Session, 1973, is amended to read as follows:

4-30 Sec. 9. (a) Bonds of the district must ~~[shall]~~ mature not
 4-31 ~~later than the 40th anniversary of the date of issuance and must~~
 4-32 ~~bear a rate of interest that does not exceed the amount provided by~~
 4-33 ~~Chapter 1204, Government Code [within 40 years of their date and may~~
 4-34 ~~bear interest at a rate or rates not to exceed that prescribed by~~
 4-35 ~~Chapter 3, Acts of the 61st Legislature, Regular Session, 1969, as~~
 4-36 ~~amended (Article 717k-2, Vernon's Texas Civil Statutes)].~~

4-37 (b) Bonds shall be executed in the name of the hospital
 4-38 district and ~~on [in]~~ its behalf by the president of the board and
 4-39 countersigned by the secretary of the board in the manner provided
 4-40 by Chapter 618, Government Code [~~Chapter 204, Acts of the 57th~~
 4-41 ~~Legislature, Regular Session, 1961, as amended (Article 717j-1,~~
 4-42 ~~Vernon's Texas Civil Statutes)], and shall be subject to the same~~
 4-43 ~~requirements in the matter of approval by the Attorney General of~~
 4-44 ~~Texas and registration by the Comptroller of Public Accounts of the~~
 4-45 ~~State of Texas as are by law provided for approval and registration~~
 4-46 ~~of bonds issued by counties. Upon the approval of such bonds by the~~
 4-47 ~~attorney general and registration by the comptroller, the same~~
 4-48 ~~shall be incontestable for any cause.~~

4-49 SECTION 7. Section 11, Chapter 58, Acts of the 63rd
 4-50 Legislature, Regular Session, 1973, is amended to read as follows:

4-51 Sec. 11. The board of directors of the district shall have
 4-52 the power to prescribe the method and manner of making purchases and
 4-53 expenditures by and for the district, and shall also be authorized
 4-54 to prescribe all accounting and control procedures. All contracts
 4-55 for construction involving ~~an [the]~~ expenditure ~~in excess of the~~
 4-56 ~~amount provided by Section 271.024, Local Government Code, must~~
 4-57 ~~comply with the competitive bidding requirements as provided by~~
 4-58 ~~Subchapter B, Chapter 271, Local Government Code [of more than~~
 4-59 ~~\$2,000 may be made only after advertising in the manner provided by~~
 4-60 ~~Chapter 163, Acts of the 42nd Legislature, Regular Session, 1931,~~
 4-61 ~~as amended (Article 2368a, Vernon's Texas Civil Statutes)]. The~~
 4-62 ~~provisions of Chapter 2253, Government Code [Article 5160, Revised~~
 4-63 ~~Civil Statutes of Texas, 1925], relating to performance and payment~~
 4-64 ~~bonds shall apply to construction contracts let by the district.~~
 4-65 ~~The district may acquire equipment for use in its hospital system~~
 4-66 ~~and mortgage or pledge the property so acquired as security for the~~
 4-67 ~~payment of the purchase price, but any such contract shall provide~~
 4-68 ~~for the entire obligation of the district to be retired within five~~
 4-69 ~~years from the date of the contract. Except as permitted in the~~

5-1 preceding sentence and as permitted by Sections 7 and 8 of this Act,
 5-2 the board may not incur any obligation payable from any revenues of
 5-3 the district, taxes or otherwise, except from funds on hand or to be
 5-4 on hand within the then current and following fiscal year of the
 5-5 district.

5-6 SECTION 8. Section 15, Chapter 58, Acts of the 63rd
 5-7 Legislature, Regular Session, 1973, is amended to read as follows:

5-8 Sec. 15. (a) The district shall have the right and power of
 5-9 eminent domain for the purpose of acquiring by condemnation any and
 5-10 all property of any kind and character in fee simple, or any lesser
 5-11 interest therein, within the boundaries of the district necessary
 5-12 to the powers, rights, and privileges conferred by this Act, in the
 5-13 manner provided by the general law with respect to condemnation by
 5-14 counties.

5-15 (b) The district is not required to deposit in the trial
 5-16 court money or bond as provided by Section 21.021, Property Code~~7~~
 5-17 ~~provided that the district shall not be required to make deposits in~~
 5-18 ~~the registry of the trial court of the sum required by Paragraph 2~~
 5-19 ~~of Article 3268, Revised Civil Statutes of Texas, 1925, or to make~~
 5-20 ~~bond as therein provided].~~

5-21 (c) In condemnation proceedings being prosecuted by the
 5-22 district, the district shall not be required to pay in advance or
 5-23 give bond or other security for costs in the trial court, nor to
 5-24 give any bond otherwise required for the issuance of a temporary
 5-25 restraining order or a temporary injunction or to give bond for
 5-26 costs or for supersedeas or any appeal or writ of error.

5-27 SECTION 9. Section 16, Chapter 58, Acts of the 63rd
 5-28 Legislature, Regular Session, 1973, is amended to read as follows:

5-29 Sec. 16. (a) The Tax Code governs the appraisal,
 5-30 assessment, and collection of district taxes.

5-31 (b) The board of directors may provide for the appointment
 5-32 of a tax assessor-collector for the district or may contract for the
 5-33 assessment and collection of taxes as provided by the Tax Code.
 5-34 ~~[The directors shall have the authority to levy taxes for the entire~~
 5-35 ~~year in which the district is established as the result of the~~
 5-36 ~~election herein provided. All taxes of the district shall be~~
 5-37 ~~assessed and collected by the assessor-collector appointed by the~~
 5-38 ~~directors, who shall also fix the terms of his employment,~~
 5-39 ~~compensation, and requirement for bond to assure the faithful~~
 5-40 ~~performance of his duties, but in no event shall such bond be for~~
 5-41 ~~less than \$5,000. The directors shall also annually appoint five~~
 5-42 ~~persons to serve as a board of equalization and shall fix their~~
 5-43 ~~compensation. The tax assessor and collector need not be a resident~~
 5-44 ~~of the district. Each member of the board shall be a resident of the~~
 5-45 ~~district. Members of the board and tax assessor and collector shall~~
 5-46 ~~have the same duties, including the obligation to execute the oath~~
 5-47 ~~of office, as required by county officials exercising such powers~~
 5-48 ~~and duties. Except as in this law provided to the contrary, all the~~
 5-49 ~~provisions of Title 122, Revised Civil Statutes of Texas, 1925, as~~
 5-50 ~~amended, shall apply to the district.]~~

5-51 SECTION 10. Chapter 58, Acts of the 63rd Legislature,
 5-52 Regular Session, 1973, is amended by adding Section 27 to read as
 5-53 follows:

5-54 Sec. 27. (a) The district may be dissolved only if the
 5-55 dissolution is approved by a majority of the registered voters of
 5-56 the district voting in an election held for that purpose.

5-57 (b) The board of directors may order an election on the
 5-58 question of dissolving the district and disposing of the district's
 5-59 assets and obligations. The board shall order an election if the
 5-60 board receives a petition requesting an election that is signed by
 5-61 at least 15 percent of the registered voters in the district.

5-62 (c) An election ordered under this section shall be held not
 5-63 later than the 60th day after the date the election is ordered.
 5-64 Section 41.001, Election Code, does not apply to an election
 5-65 ordered under this section.

5-66 (d) The order calling an election under this section must
 5-67 state:

5-68 (1) the nature of the election, including the
 5-69 proposition that is to appear on the ballot;

- 6-1 (2) the date of the election;
 6-2 (3) the hours during which the polls will be open; and
 6-3 (4) the location of the polling places.

6-4 (e) The board of directors shall give notice of the election
 6-5 by publishing a substantial copy of the election order in a
 6-6 newspaper with general circulation in the district once a week for
 6-7 two consecutive weeks. The first publication must appear not later
 6-8 than the 35th day before the date set for the election.

6-9 (f) The ballot for the election must be printed to permit
 6-10 voting for or against the proposition: "The dissolution of the
 6-11 Lockney General Hospital District."

6-12 (g) If a majority of the votes in the election favor
 6-13 dissolution, the board of directors shall find that the district is
 6-14 dissolved. If a majority of the votes in the election do not favor
 6-15 dissolution, the board shall continue to administer the district,
 6-16 and another election on the question of dissolution may not be held
 6-17 before the first anniversary of the most recent election to
 6-18 dissolve the district.

6-19 (h) If a majority of the votes in the election favor
 6-20 dissolution, the board of directors shall:

6-21 (1) transfer the land, buildings, improvements,
 6-22 equipment, and other assets that belong to the district to Floyd
 6-23 County or another governmental entity in Floyd County; or

6-24 (2) administer the property, assets, and debts until
 6-25 all money has been disposed of and all district debts have been paid
 6-26 or settled.

6-27 (i) If the district transfers the land, buildings,
 6-28 improvements, equipment, and other assets to Floyd County or
 6-29 another governmental entity, the county or entity assumes all debts
 6-30 and obligations of the district at the time of the transfer, and the
 6-31 district is dissolved.

6-32 (j) If the district does not transfer the land, buildings,
 6-33 improvements, equipment, and other assets to a county or other
 6-34 governmental entity, the board of directors shall administer the
 6-35 property, assets, and debts of the district until all funds have
 6-36 been disposed of and all district debts have been paid or settled,
 6-37 at which time the district is dissolved.

6-38 (k) After the board of directors finds that the district is
 6-39 dissolved, the board shall:

6-40 (1) determine any remaining debt owed by the district;
 6-41 and

6-42 (2) impose on the property included in the district's
 6-43 tax rolls a tax that is in proportion of the debt to the property
 6-44 value.

6-45 (1) When all outstanding debts and obligations of the
 6-46 district are paid, the board of directors shall order the secretary
 6-47 to return to each district taxpayer the taxpayer's pro rata share of
 6-48 all unused tax money.

6-49 (m) A taxpayer may request that the taxpayer's share of
 6-50 surplus tax money be credited to the taxpayer's county taxes. If a
 6-51 taxpayer requests the credit, the board of directors shall direct
 6-52 the secretary to transmit the money to the county tax
 6-53 assessor-collector.

6-54 (n) After the district has paid all its debts and has
 6-55 disposed of all its assets and money as prescribed by this section,
 6-56 the board of directors shall file a written report with the
 6-57 Commissioners Court of Floyd County summarizing the board's actions
 6-58 in dissolving the district.

6-59 (o) Not later than the 10th day after the date it receives
 6-60 the report and determines that the requirements of this section
 6-61 have been fulfilled, the Commissioners Court of Floyd County shall
 6-62 enter an order dissolving the district and releasing the board of
 6-63 directors of the district from any further duty or obligation.

6-64 SECTION 11. Sections 3 and 23, Chapter 58, Acts of the 63rd
 6-65 Legislature, Regular Session, 1973, are repealed.

6-66 SECTION 12. This Act takes effect immediately if it
 6-67 receives a vote of two-thirds of all the members elected to each
 6-68 house, as provided by Section 39, Article III, Texas Constitution.
 6-69 If this Act does not receive the vote necessary for immediate

7-1 effect, this Act takes effect September 1, 2005.

7-2

* * * * *