

By: Duncan

S.B. No. 919

A BILL TO BE ENTITLED

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AN ACT

relating to the grounds and procedures for removal of a member of the board of directors of the Lynn County Hospital District.

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

SECTION 1. Chapter 66, Acts of the 60th Legislature, Regular Session, 1967, is amended by adding Section 4A to read as follows:

Sec. 4A. (a) It is a ground for removal from the board of directors that a member:

(1) is absent from more than three-fourths of the regularly scheduled board meetings that the member is eligible to attend during a calendar year without an excuse approved by a majority vote of the board; or

(2) fails to timely pay a federal, state, or local tax, including an ad valorem tax.

(b) The validity of an action of the board is not affected by the fact that it is taken when a ground for removal of a board member exists.

(c) If the administrator or manager of the hospital district has knowledge that a potential ground for removal exists, the administrator or manager shall notify the president of the board of the potential ground. The president shall then notify the county attorney and district attorney that a potential ground for removal exists and request that the county or district attorney bring an

1 action in the nature of quo warranto under Chapter 66, Civil
2 Practice and Remedies Code, as appropriate. If the potential
3 ground for removal involves the president, the administrator or
4 manager shall notify the vice president of the board, who shall then
5 notify the county attorney and district attorney that a potential
6 ground for removal exists and request an action in the nature of quo
7 warranto.

8 SECTION 2. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2005.