

1-1 By: Duncan S.B. No. 919
1-2 (In the Senate - Filed March 3, 2005; March 14, 2005, read
1-3 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 grounds and procedures for removal of a member of
1-9 the board of directors of the Lynn County Hospital District.

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

1-11 SECTION 1. Chapter 66, Acts of the 60th Legislature,
1-12 Regular Session, 1967, is amended by adding Section 4A to read as
1-13 follows:

1-14 Sec. 4A. (a) It is a ground for removal from the board of
1-15 directors that a member:

1-16 (1) is absent from more than three-fourths of the
1-17 regularly scheduled board meetings that the member is eligible to
1-18 attend during a calendar year without an excuse approved by a
1-19 majority vote of the board; or

1-20 (2) fails to timely pay a federal, state, or local tax,
1-21 including an ad valorem tax.

1-22 (b) The validity of an action of the board is not affected by
1-23 the fact that it is taken when a ground for removal of a board member
1-24 exists.

1-25 (c) If the administrator or manager of the hospital district
1-26 has knowledge that a potential ground for removal exists, the
1-27 administrator or manager shall notify the president of the board of
1-28 the potential ground. The president shall then notify the county
1-29 attorney and district attorney that a potential ground for removal
1-30 exists and request that the county or district attorney bring an
1-31 action in the nature of quo warranto under Chapter 66, Civil
1-32 Practice and Remedies Code, as appropriate. If the potential
1-33 ground for removal involves the president, the administrator or
1-34 manager shall notify the vice president of the board, who shall then
1-35 notify the county attorney and district attorney that a potential
1-36 ground for removal exists and request an action in the nature of quo
1-37 warranto.

1-38 SECTION 2. This Act takes effect immediately if it receives
1-39 a vote of two-thirds of all the members elected to each house, as
1-40 provided by Section 39, Article III, Texas Constitution. If this
1-41 Act does not receive the vote necessary for immediate effect, this
1-42 Act takes effect September 1, 2005.

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