

By: Lucio

S.B. No. 1737

A BILL TO BE ENTITLED

AN ACT

relating to the Border Health Foundation.

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

SECTION 1. Section 112.003, Health and Safety Code, is amended to read as follows:

Sec. 112.003. POWERS AND DUTIES. (a) The foundation shall raise money from other foundations, governmental entities, and other sources to finance health programs [~~in this state~~] in areas adjacent to the border with the United Mexican States.

(b) The foundation shall:

(1) identify and seek potential partners in the private sector that will afford this state the opportunity to maintain or increase the existing levels of financing of health programs and activities;

(2) engage in outreach efforts to make the existence of the office known to potential partners throughout this area [~~state~~]; and

(3) perform any other function necessary to carry out the purposes of this section.

(c) The department shall review programs from all agencies under its control to determine which projects should be available to receive money under Subsection (a).

(d) The foundation has the powers necessary and convenient to carry out its duties.

1 SECTION 2. Section 112.004, Health and Safety Code, is  
2 amended to read as follows:

3 Sec. 112.004. ADMINISTRATION. (a) The foundation is  
4 governed by a board of five directors [~~appointed by the Texas Board~~  
5 ~~of Health from individuals recommended by the commissioner~~].  
6 Vacancies shall be filled by a vote of the board of directors of the  
7 foundation from individuals recommended by the department.

8 (b) Members of the board of directors serve for staggered  
9 terms of six years, with as near as possible to one-third of the  
10 members' terms expiring every two years.

11 (c) Appointments to the board of directors shall be made  
12 without regard to the race, color, disability, sex, religion, age,  
13 or national origin of the appointees.

14 (d) The board of directors shall ensure that the foundation  
15 remains eligible for an exemption from federal income tax under  
16 Section 501(a), Internal Revenue Code of 1986, as amended, by being  
17 listed as an exempt organization under Section 501(c)(3) of that  
18 code, as amended.

19 SECTION 3. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2005.