

1-1 By: Lucio S.B. No. 1737
1-2 (In the Senate - Filed March 11, 2005; March 30, 2005, read
1-3 first time and referred to Committee on International Relations and
1-4 Trade; May 9, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; May 9, 2005, sent
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1737 By: Lucio

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the Border Health Foundation.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 112.003, Health and Safety Code, is
1-13 amended to read as follows:

1-14 Sec. 112.003. POWERS AND DUTIES. (a) The foundation shall
1-15 raise money from other foundations, governmental entities, and
1-16 other sources to finance health programs [~~in this state~~] in areas
1-17 adjacent to the border with the United Mexican States.

1-18 (b) The foundation shall:

1-19 (1) identify and seek potential partners in the
1-20 private sector that will afford this state the opportunity to
1-21 maintain or increase the existing levels of financing of health
1-22 programs and activities;

1-23 (2) engage in outreach efforts to make the existence
1-24 of the office known to potential partners throughout this area
1-25 [~~state~~]; and

1-26 (3) perform any other function necessary to carry out
1-27 the purposes of this section.

1-28 (c) The department shall review programs from all agencies
1-29 under its control to determine which projects should be available
1-30 to receive money under Subsection (a).

1-31 (d) The foundation has the powers necessary and convenient
1-32 to carry out its duties.

1-33 SECTION 2. Section 112.004, Health and Safety Code, is
1-34 amended to read as follows:

1-35 Sec. 112.004. ADMINISTRATION. (a) The foundation is
1-36 governed by a board of five directors [~~appointed by the Texas Board~~
1-37 ~~of Health from individuals recommended by the commissioner~~].
1-38 Vacancies shall be filled by a vote of the board of directors of the
1-39 foundation from individuals recommended by the department.

1-40 (b) Members of the board of directors serve for staggered
1-41 terms of six years, with as near as possible to one-third of the
1-42 members' terms expiring every two years.

1-43 (c) Appointments to the board of directors shall be made
1-44 without regard to the race, color, disability, sex, religion, age,
1-45 or national origin of the appointees.

1-46 (d) The board of directors shall ensure that the foundation
1-47 remains eligible for an exemption from federal income tax under
1-48 Section 501(a), Internal Revenue Code of 1986, as amended, by being
1-49 listed as an exempt organization under Section 501(c)(3) of that
1-50 code, as amended.

1-51 SECTION 3. This Act takes effect immediately if it receives
1-52 a vote of two-thirds of all the members elected to each house, as
1-53 provided by Section 39, Article III, Texas Constitution. If this
1-54 Act does not receive the vote necessary for immediate effect, this
1-55 Act takes effect September 1, 2005.

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