

BILL ANALYSIS

S.B. 267
By: Duncan
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, there are no membership requirements for the members of the Lynn County Hospital District Board. This has led to problems in member attendance at board meetings and being current on certain taxes.

S.B. 267 establishes requirements for board membership at the Lynn County Hospital District, and provides for legal removal of members who are not in compliance. Furthermore, this bill requires members to attend at least three-fourths of regularly scheduled board meetings, and to be current on all federal, state, and local taxes, including ad valorem taxes.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 267 sets forth the grounds for which a member of the board of directors of the Lynn County Hospital District (board) is to be considered for removal, including unexcused absence from more than three-fourths of regularly scheduled board meetings in which the member is eligible to attend and failure to pay a state, federal, local, or ad valorem tax in a timely manner.

It specifies that the validity of an action of the board is not affected by the fact that a ground for removal exists when the action is made.

It requires the hospital district administrator or manager to notify the president of the board if a potential ground for removal exists. The president must notify the county or district attorney of the potential ground for removal and request that the county attorney bring an action in the nature of quo warranto under Chapter 66, Civil Practice and Remedies Code, as appropriate. Specifies that the administrator or manager is to notify the vice president of the board and follow the abovementioned procedure in the event that the potential ground for removal involves the president of the board.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.