

BILL ANALYSIS

C.S.S.B. 1501
By: Zaffirini
Local Government Ways & Means
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, boards of emergency services commissioners (board) are required to file a report regarding the district's administration for the preceding calendar year and the district's financial condition, and an audit report regarding the district's fiscal accounts and records. However, county commissioners courts do not have any authority to take action against an emergency services district if the reports are not completed.

Emergency services districts (district) are political subdivisions established by local voters for the purpose of raising money through ad valorem taxes on all real property located within the district. Some districts use sales taxes to help fund the district as well. The ad valorem and sales taxes support district services designed to protect life through emergency rescue and ambulance services. Districts also protect property from fire through fire services. Several members of the Bexar County Commissioners Court believe that boards lack adequate accountability. One problem is that some boards have not provided reports required by state law. C.S.S.B. 1501 authorizes a commissioners court to remove appointed board members of an emergency services district if the board fails to file certain required reports regarding the district's finances.

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.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 775, Health and Safety Code, by adding Section 775.0422. This section only applies to appointed directors. The commissioners court may remove board members by majority vote of the board if the board fails to submit certain reports to the board. The commissioners court must notify the board members that they are considering this action. For boards that are located in more than one county, then each commissioners court must vote for removal. Board action is not affected because an action is taken when a ground for removal of a board member exists.

SECTION 2. Amends the heading to Section 775.042, Health and Safety Code, to read as follows:

Sec. 775.042. REMOVAL OF BOARD MEMBER BY BOARD.

SECTION 3. Makes application of Section 775.0422, Health and Safety Code, as added by this Act, prospective.

SECTION 4. Effective date: upon passage or September 1, 2007.

EFFECTIVE DATE

Upon passage or September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute applies Section 775.042 only to appointed directors. The substitute also requires a commissioners court to notify board members that the commissioners court is considering their removal.