

BILL ANALYSIS

Senate Research Center

S.B. 1972
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Constitution currently authorizes hospital districts (district) to impose an ad valorem tax rate up to 75 cents on \$100 valuation of all taxable property in the district. When a district is to be created, the residents of the proposed district vote on whether to create the district and, in the same election, set the limit for the maximum property tax rate. The initial tax rate can be set lower than the constitutional maximum.

Prior to 2003, districts had no authority to increase a tax rate that was initially set below the constitutional limit. In 2003, the legislature added a new subchapter to the Health and Safety Code to authorize a district to hold an election to increase the tax rate up to the constitutional limit in order to provide districts additional flexibility to meet the growing health care demands of the area served. This subchapter is set to expire on September 1, 2008. Some districts do not currently have a need to collect more revenue, but want the option to remain in case future needs arise.

S.B. 1972 eliminates the current sunset date of September 1, 2008, to authorize hospital districts to call an election to raise the maximum tax rate at any time. This bill also clarifies the language to be used in the ballot to vote on a measure to increase the maximum tax rate. This bill authorizes the board of directors of a hospital district to employ physicians or other health care providers.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 285.231(f), Health and Safety Code, to require the ballot for the election by voters regarding the maximum tax rate of a hospital district to include that the increase by the hospital district of the rate of annual taxes is the maximum rate in the specific language of the statement that is required to be printed to permit voting for or against the proposition.

SECTION 2. Amends Section 5, Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, as follows:

Sec. 5. Authorizes the board of directors of a hospital district (board) to employ physicians or other health care providers as the board considers necessary for the efficient operation of the district. Provides that this section does not authorize the board to supervise or control the practice of medicine, as prohibited by Subtitle B (Physicians), Title 3, Occupations Code. Authorizes the board to delegate the authority to employ technicians, nurses, and employees of the district, other than physicians, to the administrator or manager.

SECTION 3. Repealer: Section 285.232 (provides that this subchapter (Provision of Services) expires September 1, 2008), Health and Safety Code.

SECTION 4. Effective date: September 1, 2007.