

By: Christian

H.B. No. 4087

A BILL TO BE ENTITLED

AN ACT

relating to the composition and terms of office of the board of directors of the Sabine County Hospital District.

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

SECTION 1. Chapter 565, Acts of the 64th Legislature, Regular Session, 1975, is amended by adding Sections 5A and 5B to read as follows:

Sec. 5A. (a) Contingent on approval by a majority of the district voters voting at the election held under Section 5B of this Act, the board is governed by the following seven directors:

(1) one director elected from each county commissioners precinct;

(2) one director appointed by the Commissioners Court of Sabine County;

(3) one director appointed by the city council, including the mayor, of the City of Hemphill; and

(4) one director appointed by the city council, including the mayor, of the City of Pineland.

(b) Elected directors serve staggered two-year terms. A directors' election shall be held on the uniform election date in May of each year to elect two directors.

(c) Appointed directors serve staggered two-year terms. Not later than June 1 of each year, the Commissioners Court of Sabine County and the city councils, including the mayors, of the cities of

1 Hemphill and Pineland, as appropriate, shall appoint successor
2 appointed directors.

3 (d) To qualify for election to the board, a person must:

4 (1) be at least 21 years of age;

5 (2) have been a resident of the district for at least
6 two years;

7 (3) have been a resident of the county commissioner
8 precinct for at least six months; and

9 (4) be a qualified voter of the district.

10 (e) In addition to the requirements provided by Subsections
11 (d)(1), (2), and (4) of this section, a person may not serve as an
12 appointed member of the board of directors if the person is:

13 (1) the county judge or a member of the Commissioners
14 Court of Sabine County;

15 (2) the mayor or a member of the city council of the
16 City of Hemphill; or

17 (3) the mayor or a member of the city council of the
18 City of Pineland.

19 (f) Any person who wants to have the person's name printed
20 on the ballot as a candidate for director shall file an application
21 with the secretary of the board of directors in accordance with
22 Chapter 144, Election Code.

23 (g) A director holds office for a term of two years and until
24 the successor is elected or appointed and has qualified.

25 (h) A vacancy on the board of directors is filled by
26 appointment by a majority of the directors for the unexpired term.

27 Sec. 5B. (a) The Commissioners Court of Sabine County shall

1 call an election to be held on November 6, 2007, on the issue of
2 removing the members of the existing board of directors and
3 changing to a board that is composed of four elected and three
4 appointed members. The order calling the election shall state:

5 (1) the nature of the election, including the
6 proposition to appear on the ballot;

7 (2) the date of the election;

8 (3) the hours during which the polls will be open; and

9 (4) the location of the polling places.

10 (b) The commissioners court shall give notice of the
11 election by publishing once a week for two consecutive weeks a
12 substantial copy of the election order in a newspaper with general
13 circulation in Sabine County. The first publication must appear
14 not later than the 35th day before the date set for the election.

15 (c) The ballot for the election shall be printed to permit
16 voting for or against the proposition: "Removing the current
17 members of the board of directors of the Sabine County Hospital
18 District and changing the board to a board composed of four elected
19 and three appointed directors."

20 (d) If a majority of the votes in the election do not favor
21 removing the current members of the board of directors and changing
22 the board to a board composed of four elected directors and three
23 appointed directors:

24 (1) the board members shall continue to serve on the
25 board for the remainder of the members' terms; and

26 (2) this section and Section 5A of this Act are
27 repealed on January 1, 2008.

1 (e) If a majority of the votes in the election favor
2 removing the current members of the board of directors and changing
3 the board to a board composed of four elected directors and three
4 appointed directors:

5 (1) subject to Subsection (h) of this section, the
6 term of office for each person serving as a member of the board of
7 directors on May 1, 2008, expires on that date;

8 (2) an election shall be held on the uniform election
9 date in May 2008 to elect one director from each county
10 commissioners precinct in Sabine County;

11 (3) not later than June 1, 2008, the Commissioners
12 Court of Sabine County, the city council, including the mayor, of
13 the City of Hemphill, and the city council, including the mayor, of
14 the City of Pineland shall each appoint a director as provided by
15 Section 5A of this Act; and

16 (4) Section 5 of this Act is repealed on June 1, 2008.

17 (f) The members of the board of directors of the Sabine
18 County Hospital District elected on the uniform election date in
19 May 2008 shall draw lots to determine which two directors shall
20 serve two-year terms and which two directors shall serve one-year
21 terms. Successor elected directors serve staggered two-year terms
22 as provided by Section 5A(b) of this Act.

23 (g) The initial appointed members of the board of directors
24 of the Sabine County Hospital District shall draw lots to determine
25 which two directors shall serve two-year terms and which director
26 shall serve a one-year term. Successor appointed directors serve
27 staggered two-year terms as provided by Section 5A(c) of this Act.

1 (h) The members of the board of directors of the Sabine
2 County Hospital District whose terms expire under Subsection (e)(1)
3 of this section shall continue to perform the duties of their office
4 until a majority of the new board is elected or appointed and
5 qualified. Until all members of the board of directors have been
6 elected or appointed and qualified, a quorum of the board of
7 directors is a majority of the directors who are qualified.

8 SECTION 2. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect August 27, 2007.