

By: Seliger

S.B. No. 1752

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the election, powers, and duties of the members of the
3 board of directors of the Midland County Hospital District.

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

5 SECTION 1. Subsection (g), Section 5, Chapter 112, Acts of
6 the 65th Legislature, Regular Session, 1977, is amended to read as
7 follows:

8 (g) The board may, on its own motion, order that board
9 members are to be elected in even-numbered years to serve staggered
10 four-year terms. Members [~~The first election of board members in an~~
11 ~~odd-numbered year that occurs at least 120 days after the date on~~
12 ~~which an order is entered under Subsection (a) shall be held as~~
13 ~~previously scheduled, and the members elected shall serve~~
14 ~~three-year terms. The subsequent election of board members~~
15 ~~previously scheduled to be held in an even-numbered year shall be~~
16 ~~held as scheduled, and the members elected shall serve four-year~~
17 ~~terms. Subsequent members]~~ shall be elected on the November
18 uniform election date under Section 41.001, Election Code, [first
19 Saturday in May] of each even-numbered year and the members shall
20 serve four-year terms.

21 SECTION 2. Section 11, Chapter 112, Acts of the 65th
22 Legislature, Regular Session, 1977, is amended to read as follows:

23 Sec. 11. (a) The board of directors is given complete
24 discretion as to the type, number, and location of buildings and

1 property required to establish and maintain an adequate hospital
2 system. The hospital system may include facilities for domiciliary
3 care of the sick, wounded, and injured, outpatient clinics,
4 dispensaries, facilities for geriatric domiciliary care,
5 convalescent home facilities, necessary nurses' domiciliaries, and
6 training centers, training facilities for doctors, nurses, and
7 other health care disciplines, blood banks, community mental health
8 centers, research centers or laboratories, parking, and any other
9 facilities deemed necessary by the board of directors for a
10 hospital or hospital system and a medical facility or other health
11 facility included in the hospital or hospital system. The
12 district, through its board of directors, is authorized to lease
13 property, facilities, or equipment and to enter into leases of all
14 or a part of its buildings and facilities with any person,
15 corporation, political subdivision, agency, or branch of the state
16 or United States, with such terms and conditions as considered to be
17 in the best interest of the district; provided that no lease may be
18 for a period in excess of 40 years from the date entered. On the
19 district's behalf, the board of directors may hold, construct,
20 condemn, purchase, acquire, lease, add to, maintain, operate,
21 regulate, sell, convey, or otherwise dispose of land, equipment, or
22 property of any nature, or a property right, hospital facility, or
23 hospital system on terms and conditions found by the board to be in
24 the best interest of the district's inhabitants.

25 (b) The board of directors may donate to another
26 governmental entity or to a charitable organization any surplus
27 personal property or equipment if the donation serves a public

1 purpose and is accompanied by adequate consideration.

2 SECTION 3. Section 12, Chapter 112, Acts of the 65th
3 Legislature, Regular Session, 1977, is amended to read as follows:

4 Sec. 12. The board of directors has the power to prescribe
5 the method and manner of making purchases and expenditures by and
6 for the hospital district and shall also be authorized to prescribe
7 all accounting and control procedures or may delegate all or any of
8 those powers, by the adoption of an appropriate resolution to that
9 effect, to the Midland Memorial Foundation or its successors, or to
10 an individual, corporation, agency, political subdivision, or
11 other entity that enters into an operating or management agreement
12 with the district to exercise all or any of those powers. All
13 contracts by the district for construction or purchases involving
14 the expenditure of more than \$25,000 [~~\$10,000~~] may be made only
15 after advertising in the manner provided by Chapter 252, Local
16 Government Code. The provisions of Chapter 2253, Government Code,
17 apply to construction contracts let by the district. The district
18 may acquire equipment for use in its hospital system, including
19 medical facilities and health facilities, and mortgage or pledge
20 the property so acquired as security for the payment of the purchase
21 price, but any such contract shall provide for the entire
22 obligation of the district to be retired within five years from the
23 date of the contract. Except as permitted in the preceding sentence
24 and as permitted by Sections 9 and 10 of this Act, the district may
25 incur no obligation payable from any revenues of the district,
26 taxes or otherwise, except those on hand or to be on hand within the
27 current and following fiscal year of the district.

1 SECTION 4. Subsection (a), Section 13, Chapter 112, Acts of
2 the 65th Legislature, Regular Session, 1977, is amended to read as
3 follows:

4 (a) The board of directors of the district shall name one or
5 more banks within its boundaries to serve as depository for the
6 funds of the district for a period of four [~~two~~] years. Bids shall
7 be received for a depository contract after a notice is published
8 once, 20 days before the date to open such bids, in a newspaper of
9 general circulation in the district. The depository contract shall
10 be awarded to [~~let with~~] the bank or banks offering the most
11 favorable terms and conditions for handling the district's money
12 [~~to the district~~]. All funds of the district, except those invested
13 as provided in Section 6 of this Act and those transmitted to a bank
14 or banks as payment for bonds or obligations issued by the district,
15 shall be deposited as received with the depository bank and shall
16 remain on deposit; provided that nothing in this Act shall limit the
17 power of the board to place a portion of such funds on time deposit
18 or purchase certificates of deposit.

19 SECTION 5. The members of the board of directors of the
20 Midland County Hospital District shall adjust the terms of office
21 of directors to conform to the change of the election date made
22 under Subsection (g), Section 5, Chapter 112, Acts of the 65th
23 Legislature, Regular Session, 1977, as amended by this Act.

24 SECTION 6. This Act takes effect September 1, 2007.