

1-1 By: Seliger S.B. No. 1752  
1-2 (In the Senate - Filed March 9, 2007; March 21, 2007, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 11, 2007, reported favorably by the following  
1-5 vote: Yeas 3, Nays 0; April 11, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the election, powers, and duties of the members of the  
1-9 board of directors of the Midland County Hospital District.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (g), Section 5, Chapter 112, Acts of  
1-12 the 65th Legislature, Regular Session, 1977, is amended to read as  
1-13 follows:

1-14 (g) The board may, on its own motion, order that board  
1-15 members are to be elected in even-numbered years to serve staggered  
1-16 four-year terms. Members ~~[The first election of board members in an~~  
1-17 ~~odd-numbered year that occurs at least 120 days after the date on~~  
1-18 ~~which an order is entered under Subsection (a) shall be held as~~  
1-19 ~~previously scheduled, and the members elected shall serve~~  
1-20 ~~three-year terms. The subsequent election of board members~~  
1-21 ~~previously scheduled to be held in an even-numbered year shall be~~  
1-22 ~~held as scheduled, and the members elected shall serve four-year~~  
1-23 ~~terms. Subsequent members]~~ shall be elected on the November  
1-24 uniform election date under Section 41.001, Election Code, [first  
1-25 Saturday in May] of each even-numbered year and the members shall  
1-26 serve four-year terms.

1-27 SECTION 2. Section 11, Chapter 112, Acts of the 65th  
1-28 Legislature, Regular Session, 1977, is amended to read as follows:

1-29 Sec. 11. (a) The board of directors is given complete  
1-30 discretion as to the type, number, and location of buildings and  
1-31 property required to establish and maintain an adequate hospital  
1-32 system. The hospital system may include facilities for domiciliary  
1-33 care of the sick, wounded, and injured, outpatient clinics,  
1-34 dispensaries, facilities for geriatric domiciliary care,  
1-35 convalescent home facilities, necessary nurses' domiciliaries, and  
1-36 training centers, training facilities for doctors, nurses, and  
1-37 other health care disciplines, blood banks, community mental health  
1-38 centers, research centers or laboratories, parking, and any other  
1-39 facilities deemed necessary by the board of directors for a  
1-40 hospital or hospital system and a medical facility or other health  
1-41 facility included in the hospital or hospital system. The  
1-42 district, through its board of directors, is authorized to lease  
1-43 property, facilities, or equipment and to enter into leases of all  
1-44 or a part of its buildings and facilities with any person,  
1-45 corporation, political subdivision, agency, or branch of the state  
1-46 or United States, with such terms and conditions as considered to be  
1-47 in the best interest of the district; provided that no lease may be  
1-48 for a period in excess of 40 years from the date entered. On the  
1-49 district's behalf, the board of directors may hold, construct,  
1-50 condemn, purchase, acquire, lease, add to, maintain, operate,  
1-51 regulate, sell, convey, or otherwise dispose of land, equipment, or  
1-52 property of any nature, or a property right, hospital facility, or  
1-53 hospital system on terms and conditions found by the board to be in  
1-54 the best interest of the district's inhabitants.

1-55 (b) The board of directors may donate to another  
1-56 governmental entity or to a charitable organization any surplus  
1-57 personal property or equipment if the donation serves a public  
1-58 purpose and is accompanied by adequate consideration.

1-59 SECTION 3. Section 12, Chapter 112, Acts of the 65th  
1-60 Legislature, Regular Session, 1977, is amended to read as follows:

1-61 Sec. 12. The board of directors has the power to prescribe  
1-62 the method and manner of making purchases and expenditures by and  
1-63 for the hospital district and shall also be authorized to prescribe  
1-64 all accounting and control procedures or may delegate all or any of

2-1 those powers, by the adoption of an appropriate resolution to that  
2-2 effect, to the Midland Memorial Foundation or its successors, or to  
2-3 an individual, corporation, agency, political subdivision, or  
2-4 other entity that enters into an operating or management agreement  
2-5 with the district to exercise all or any of those powers. All  
2-6 contracts by the district for construction or purchases involving  
2-7 the expenditure of more than \$25,000 [~~\$10,000~~] may be made only  
2-8 after advertising in the manner provided by Chapter 252, Local  
2-9 Government Code. The provisions of Chapter 2253, Government Code,  
2-10 apply to construction contracts let by the district. The district  
2-11 may acquire equipment for use in its hospital system, including  
2-12 medical facilities and health facilities, and mortgage or pledge  
2-13 the property so acquired as security for the payment of the purchase  
2-14 price, but any such contract shall provide for the entire  
2-15 obligation of the district to be retired within five years from the  
2-16 date of the contract. Except as permitted in the preceding sentence  
2-17 and as permitted by Sections 9 and 10 of this Act, the district may  
2-18 incur no obligation payable from any revenues of the district,  
2-19 taxes or otherwise, except those on hand or to be on hand within the  
2-20 current and following fiscal year of the district.

2-21 SECTION 4. Subsection (a), Section 13, Chapter 112, Acts of  
2-22 the 65th Legislature, Regular Session, 1977, is amended to read as  
2-23 follows:

2-24 (a) The board of directors of the district shall name one or  
2-25 more banks within its boundaries to serve as depository for the  
2-26 funds of the district for a period of four [~~two~~] years. Bids shall  
2-27 be received for a depository contract after a notice is published  
2-28 once, 20 days before the date to open such bids, in a newspaper of  
2-29 general circulation in the district. The depository contract shall  
2-30 be awarded to [~~let with~~] the bank or banks offering the most  
2-31 favorable terms and conditions for handling the district's money  
2-32 [~~to the district~~]. All funds of the district, except those invested  
2-33 as provided in Section 6 of this Act and those transmitted to a bank  
2-34 or banks as payment for bonds or obligations issued by the district,  
2-35 shall be deposited as received with the depository bank and shall  
2-36 remain on deposit; provided that nothing in this Act shall limit the  
2-37 power of the board to place a portion of such funds on time deposit  
2-38 or purchase certificates of deposit.

2-39 SECTION 5. The members of the board of directors of the  
2-40 Midland County Hospital District shall adjust the terms of office  
2-41 of directors to conform to the change of the election date made  
2-42 under Subsection (g), Section 5, Chapter 112, Acts of the 65th  
2-43 Legislature, Regular Session, 1977, as amended by this Act.

2-44 SECTION 6. This Act takes effect September 1, 2007.

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