

BILL ANALYSIS

C.S.H.B. 4007
By: Hardcastle
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Hardeman County Hospital District has found that some provisions relating to district elections in its enabling legislation lack uniformity with the Texas Election Code and could be simplified through minor revisions.

C.S.H.B 4007 clarifies provisions relating to district elections in the enabling legislation of Hardeman County Hospital District.

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.

ANALYSIS

C.S.H.B. 4007 amends the Special District Local Laws Code to require an election for the board of directors of the Hardeman County Hospital District to be held on the uniform election date in May of each year to elect the appropriate number of directors, rather than making certain provisions of the Election Code applicable to an election of the board. The bill requires the board to publish notice of the election in accordance with the Election Code, rather than requiring the board to publish notice of the election at least 30 days before the date of the election. The bill makes provisions relating to uniform election dates inapplicable to an election to dissolve the district. The bill repeals a provision making provisions relating to uniform election dates of any general or special election in Texas inapplicable to all provisions relating to the district.

C.S.H.B. 4007 repeals Section 1038.007, Special District Local Laws Code.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4007 removes provisions in the original specifying that the provisions of the Special District Local Laws Code being amended are provisions as effective April 1, 2009. The substitute removes provisions in the original authorizing the board of directors of the Hardeman County Hospital District to employ physicians and other health care providers and prohibiting such authorization from being construed as authorizing the board to supervise or control the practice of medicine, as prohibited by the Medical Practice Act.