

By: Hilderbran

H.B. No. 4257

A BILL TO BE ENTITLED

AN ACT

relating to the Sutton County Hospital District.

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

SECTION 1. Section 3.03(d), Chapter 1047, Acts of the 68th Legislature, Regular Session, 1983, is amended to read as follows:

(d) An election shall be held on the ~~[first Saturday in]~~ May uniform election date under Section 41.001, Election Code, in each even-numbered year, and the appropriate number of successor directors shall be elected for four-year terms.

SECTION 2. Section 3.04, Chapter 1047, Acts of the 68th Legislature, Regular Session, 1983, is amended to read as follows:

Sec. 3.04. NOTICE OF ELECTION. Notice ~~[At least 35 days before the date of an election of directors, notice]~~ of the election shall be published one time in a newspaper with general circulation in the district in accordance with Section 4.003, Election Code.

SECTION 3. Section 3.05, Chapter 1047, Acts of the 68th Legislature, Regular Session, 1983, is amended to read as follows:

Sec. 3.05. APPLICATION ~~[PETITION]~~. (a) A person who wishes to have his name printed on the ballot as a candidate for director must file with the secretary of the board of directors an application in accordance with Chapter 144, Election Code ~~[a petition signed by at least 10 registered voters of the district asking that his name be placed on the ballot. The determination of whether a person is a registered voter of the district shall be~~

1 ~~based on the most recent official lists of registered voters].~~

2 (b) ~~[The petition must be filed with the secretary not later~~
3 ~~than the 31st day before the date of the election.~~

4 ~~[(c)]~~ The application ~~[petition]~~ must specify the
5 commissioner precinct the candidate wishes to represent or specify
6 that the candidate wishes to represent the district at large.

7 SECTION 4. Section 4.07, Chapter 1047, Acts of the 68th
8 Legislature, Regular Session, 1983, is amended to read as follows:

9 Sec. 4.07. CONSTRUCTION CONTRACTS. (a) The board may enter
10 into construction contracts on behalf of the district; however, the
11 board may enter into construction contracts that involve spending
12 more than the amount provided by Section 271.024, Local Government
13 Code, [\$10,000] only after competitive bidding as provided by
14 Subchapter B, Chapter 271, Local Government Code ~~[Chapter 770, Acts~~
15 ~~of the 66th Legislature, Regular Session, 1979 (Article 2368a.3,~~
16 ~~Vernon's Texas Civil Statutes)]~~.

17 (b) Chapter 2253, Government Code ~~[Article 5160, Revised~~
18 ~~Statutes]~~, as it relates to performance and payment bonds, applies
19 to construction contracts let by the district.

20 SECTION 5. Article 5, Chapter 1047, Acts of the 68th
21 Legislature, Regular Session, 1983, is amended by adding Section
22 5.11 to read as follows:

23 Sec. 5.11. GENERAL AUTHORITY TO BORROW MONEY; SECURITY.

24 (a) The board may borrow money at a rate not to exceed the maximum
25 annual percentage rate allowed by law for district obligations at
26 the time the loan is made.

27 (b) To secure a loan, the board may pledge:

1 (1) district revenue that is not pledged to pay the
2 district's bonded indebtedness;

3 (2) a district tax to be imposed by the district in the
4 next 12-month period following the date of the pledge that is not
5 pledged to pay the principal of or interest on district bonds; or

6 (3) a district bond that has been authorized but not
7 sold.

8 (c) A loan for which taxes or bonds are pledged must mature
9 not later than the first anniversary of the date the loan is made. A
10 loan for which district revenue is pledged must mature not later
11 than the fifth anniversary of the date the loan is made.

12 SECTION 6. Article 6, Chapter 1047, Acts of the 68th
13 Legislature, Regular Session, 1983, is amended by adding Sections
14 6.12 and 6.13 to read as follows:

15 Sec. 6.12. ADDITIONAL MEANS OF SECURING REPAYMENT OF BONDS.
16 In addition to the authority to issue general obligation bonds and
17 revenue bonds under this article, the board may provide for the
18 security and payment of district bonds from a pledge of a
19 combination of ad valorem taxes as authorized by Section 6.02 of
20 this Act and revenue and other sources authorized by Section 6.04 of
21 this Act.

22 Sec. 6.13. USE OF BOND PROCEEDS. The district may use the
23 proceeds of bonds issued under this article to pay:

24 (1) any expense the board determines is reasonable and
25 necessary to issue, sell, and deliver the bonds;

26 (2) interest payments on the bonds during a period of
27 acquisition or construction of a project or facility to be provided

1 through the bonds, not to exceed five years;

2 (3) costs related to the operation and maintenance of
3 a project or facility to be provided through the bonds:

4 (A) during an estimated period of acquisition or
5 construction, not to exceed five years; and

6 (B) for one year after the project or facility is
7 acquired or constructed;

8 (4) costs related to the financing of the bond funds,
9 including debt service reserve and contingency funds;

10 (5) costs related to the bond issuance;

11 (6) costs related to the acquisition of land or
12 interests in land for a project or facility to be provided through
13 the bonds; and

14 (7) costs of construction of a project or facility to
15 be provided through the bonds, including the payment of related
16 professional services and expenses.

17 SECTION 7. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2009.