

BILL ANALYSIS

S.B. 1352
By: Watson
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Travis County Healthcare District (Central Health) was created in 2004, under Chapter 281 (Hospital Districts in Counties of at Least 190,000), Health and Safety Code, which gives the Travis County Commissioners Court certain oversight responsibilities over Central Health, primarily appointing a number of members to the Central Health board of managers (board) and approving Central Health's budget and tax rate. Pursuant to the provisions of Chapter 281, Health and Safety Code, the Travis County Commissioners Court has chosen to delegate to the board the method of making purchases. Additionally, changes to Chapter 281 since 2004 have given Central Health additional authority to manage its operations, such as the ability to rename itself and to enter service contracts without the approval of the commissioners court.

Central Health leases a number of facilities and properties to and from others. In line with the prior responsibilities delegated to the board and in light of the continued oversight of Central Health by the commissioners court through approval of the budget and tax rate, as well as appointment authority, S.B. 1352 permits Central Health to conduct its own lease transactions without commissioners court approval. S.B. 1352 also explicitly requires any action taken under this section to be taken only after an open meeting in accordance with the Open Meeting Act so that the public has the required notice of any proposed lease.

S.B. 1352 amends current law relating to the lease of property or hospital facilities by certain hospital districts.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends the heading to Section 281.0511, Health and Safety Code, to read as follows:

Sec. 281.0511. CONTRACTING AUTHORITY OF CERTAIN DISTRICTS; LEASE OF PROPERTY OR HOSPITAL FACILITIES.

SECTION 2. Amends Section 281.0511, Health and Safety Code, by adding Subsection (c), as follows:

(c) Authorizes the board of hospital managers of the hospital district (board), notwithstanding Section 281.050 (Powers Relating to District Property, Facilities, and Equipment), to lease any property or hospital facility without the approval of the commissioners court. Authorizes the board to enter into a lease under this subsection only after an open meeting in accordance with Chapter 551 (Open Meetings), Government Code, including Section 551.072 (Deliberation Regarding Real Property; Closed Meeting), Government Code.

EFFECTIVE DATE

Effective date: upon passage or September 1, 2011