

BILL ANALYSIS

Senate Research Center
83R22778 CJC-D

H.B. 2117
By: King, Susan (Duncan)
Intergovernmental Relations
5/13/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties have expressed a concern about the possibility of taxation without representation in the Hamlin Hospital District because of the election procedures for the district's board members prescribed by the legislation establishing the district. H.B. 2117 seeks to provide for better representation of the district's taxpayers by requiring all directors of the Hamlin Hospital District to be elected at large using a cumulative voting procedure.

H.B. 2117 amends current law relating to the election of the board of directors of the Hamlin Hospital District.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1037.051(a), Special District Local Laws Code, to provide that the board of directors of the Hamlin Hospital District consists of seven directors elected from the district at large in the manner provided by Section 1037.0515.

SECTION 2. Amends Subchapter B, Chapter 1037, Special District Local Laws Code, by adding Section 1037.0515, as follows:

Sec. 1037.0515. ELECTION OF DIRECTORS BY CUMULATIVE VOTING. (a) Requires all directors to be elected at large using the cumulative voting procedure prescribed by this section.

(b) Requires that all director positions to be filled at the election be voted on as one race by all the voters of the district. Entitles each voter to cast a number of votes equal to the number of positions to be filled at the election.

(c) Authorizes a voter to cast one or more of the specified number of votes for any one or more candidates in any combination. Authorizes only whole votes to be cast and counted.

(d) Prohibits any of the voter's votes from being counted in that election if a voter casts more than the number of votes to which the voter is entitled in the election. Provides that all of the voter's votes are counted in that election if a voter casts fewer votes than entitled.

(e) Provides that the candidates who are elected are those, in the number to be elected, receiving the highest numbers of votes.

(f) Requires the secretary of state to prescribe any additional procedures necessary for the orderly and proper administration of an election held in accordance with this section.

SECTION 3. Effective date: September 1, 2013.