

By: Springer

H.B. No. 3896

A BILL TO BE ENTITLED

AN ACT

relating to the Jack County Hospital District; authorizing the imposition of a tax.

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

SECTION 1. Sections 1079.051(b) and (c), Special District Local Laws Code, are amended to read as follows:

(b) Directors [~~Unless four-year terms are established under Section 285.081, Health and Safety Code:~~

~~(1) directors~~] serve staggered three-year [~~two-year~~] terms. An [~~a~~

~~(2) a directors'~~] election shall be held [~~on the uniform election date in May of~~] each year to elect the appropriate number of directors [~~, and~~

~~(3) the terms of the directors elected to places 1, 3, and 5 expire in even-numbered years and the terms of the directors elected to places 2 and 4 expire in odd-numbered years~~].

(c) A director's term begins on the first day of the month that immediately follows [~~June 1 following~~] the director's election.

SECTION 2. Subchapter E, Chapter 1079, Special District Local Laws Code, is amended by adding Sections 1079.209 and 1079.210 to read as follows:

Sec. 1079.209. ADDITIONAL MEANS OF SECURING REPAYMENT OF BONDS. In addition to the authority to issue general obligation

1 bonds and revenue bonds under this subchapter, the board may
2 provide for the security and payment of district bonds from a pledge
3 of a combination of ad valorem taxes as authorized by Section
4 1079.202 and revenue and other sources authorized by Section
5 1079.204.

6 Sec. 1079.210. USE OF BOND PROCEEDS. The district may use
7 the proceeds of bonds issued under this subchapter to pay:

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

10 (2) interest payments on the bonds during a period of
11 acquisition or construction of a project or facility to be provided
12 through the bonds, not to exceed five years;

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

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

17 (B) for one year after the project or facility is
18 acquired or constructed;

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

21 (5) costs related to the bond issuance;

22 (6) costs related to the acquisition of land or
23 interests in land for a project or facility to be provided through
24 the bonds; and

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

1 SECTION 3. Chapter 1079, Special District Local Laws Code,
2 is amended by adding Subchapter G to read as follows:

3 SUBCHAPTER G. DISSOLUTION

4 Sec. 1079.301. DISSOLUTION; ELECTION. (a) The district
5 may be dissolved only on approval of a majority of the district
6 voters voting in an election held for that purpose.

7 (b) The board may order an election on the question of
8 dissolving the district and disposing of the district's assets and
9 obligations.

10 (c) The board shall order an election if the board receives
11 a petition requesting an election that is signed by at least 15
12 percent of the registered voters in the district.

13 (d) The order calling the election must state:

14 (1) the nature of the election, including the
15 proposition to appear on the ballot;

16 (2) the date of the election;

17 (3) the hours during which the polls will be open; and

18 (4) the location of the polling places.

19 (e) Section 41.001(a), Election Code, does not apply to an
20 election ordered under this section.

21 Sec. 1079.302. NOTICE OF ELECTION. (a) The board shall
22 give notice of an election under this subchapter by publishing once
23 a week for two consecutive weeks a substantial copy of the election
24 order in a newspaper with general circulation in the district.

25 (b) The first publication of the notice must appear not
26 later than the 35th day before the date set for the election.

27 Sec. 1079.303. BALLOT. The ballot for an election under

1 this subchapter must be printed to permit voting for or against the
2 proposition: "The dissolution of the Jack County Hospital
3 District."

4 Sec. 1079.304. ELECTION RESULTS. (a) If a majority of the
5 votes in an election under this subchapter favor dissolution, the
6 board shall find that the district is dissolved.

7 (b) If a majority of the votes in the election do not favor
8 dissolution, the board shall continue to administer the district
9 and another election on the question of dissolution may not be held
10 before the first anniversary of the date of the most recent election
11 to dissolve the district.

12 Sec. 1079.305. TRANSFER OR ADMINISTRATION OF ASSETS. (a)
13 If a majority of the votes in an election held under this subchapter
14 favor dissolution, the board shall:

15 (1) transfer the land, buildings, improvements,
16 equipment, and other assets that belong to the district to Jack
17 County or another governmental entity in Jack County; or

18 (2) administer the property, assets, and debts until
19 all money has been disposed of and all district debts have been paid
20 or settled.

21 (b) If the board makes the transfer under Subsection (a)(1),
22 the county or entity assumes all debts and obligations of the
23 district at the time of the transfer, and the district is dissolved.

24 (c) If Subsection (a)(1) does not apply and the board
25 administers the property, assets, and debts of the district under
26 Subsection (a)(2), the district is dissolved when all money has
27 been disposed of and all district debts have been paid or settled.

1 Sec. 1079.306. IMPOSITION OF TAX AND RETURN OF SURPLUS
2 TAXES. (a) After the board finds that the district is dissolved,
3 the board shall:

4 (1) determine the debt owed by the district; and

5 (2) impose on the property included in the district's
6 tax rolls a tax that is in proportion of the debt to the property
7 value.

8 (b) On the payment of all outstanding debts and obligations
9 of the district, the board shall order the secretary to return to
10 each district taxpayer the taxpayer's pro rata share of all unused
11 tax money.

12 (c) A taxpayer may request that the taxpayer's share of
13 surplus tax money be credited to the taxpayer's county taxes. If a
14 taxpayer requests the credit, the board shall direct the secretary
15 to transmit the money to the county tax assessor-collector.

16 Sec. 1079.307. REPORT; DISSOLUTION ORDER. (a) After the
17 district has paid all district debts and has disposed of all
18 district money and other assets as prescribed by this subchapter,
19 the board shall file a written report with the Commissioners Court
20 of Jack County summarizing the board's actions in dissolving the
21 district.

22 (b) Not later than the 10th day after the date the
23 Commissioners Court of Jack County receives the report and
24 determines that the requirements of this subchapter have been
25 fulfilled, the commissioners court shall enter an order dissolving
26 the district and releasing the board from any further duty or
27 obligation.

1 SECTION 4. (a) The election of the board of directors of the
2 Jack County Hospital District scheduled to be held in 2014 must be
3 held in November of that year. The directors elected to places 1
4 and 3 at the election shall serve three-year terms. The director
5 elected to place 5 at the election shall serve a two-year term.

6 (b) The election of the board of directors scheduled to be
7 held in November 2015 must be held, and the directors elected to
8 places 2 and 4 at that election shall serve three-year terms.

9 (c) The directors elected at the elections to be held in
10 November 2016, November 2017, and November 2018 shall serve
11 three-year terms.

12 SECTION 5. (a) Except as provided by Subsection (b) of this
13 section:

14 (1) this Act takes effect immediately if it receives a
15 vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution; and

17 (2) if this Act does not receive the vote necessary for
18 immediate effect, this Act takes effect September 1, 2013.

19 (b) Section 1079.051, Special District Local Laws Code, as
20 amended by this Act, takes effect September 1, 2014.