

1-1 By: Springer (Senate Sponsor - Estes) H.B. No. 3896
 1-2 (In the Senate - Received from the House May 6, 2013;
 1-3 May 7, 2013, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 14, 2013, reported favorably by
 1-5 the following vote: Yeas 5, Nays 0; May 14, 2013, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			

1-14 A BILL TO BE ENTITLED
 1-15 AN ACT

1-16 relating to the Jack County Hospital District; authorizing the
 1-17 imposition of a tax.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Sections 1079.051(b) and (c), Special District
 1-20 Local Laws Code, are amended to read as follows:

1-21 (b) Directors [~~Unless four-year terms are established under~~
 1-22 ~~Section 285.081, Health and Safety Code:~~

1-23 [(1) directors] serve staggered three-year [~~two-year~~]
 1-24 terms. An [~~+~~

1-25 [(2) a directors'] election shall be held [~~on the~~
 1-26 ~~uniform election date in May of]~~ each year to elect the appropriate
 1-27 number of directors [~~, and~~

1-28 [(3) the terms of the directors elected to places 1, 3,
 1-29 ~~and 5 expire in even-numbered years and the terms of the directors~~
 1-30 ~~elected to places 2 and 4 expire in odd-numbered years].~~

1-31 (c) A director's term begins on the first day of the month
 1-32 that immediately follows [~~June 1 following]~~ the director's
 1-33 election.

1-34 SECTION 2. Subchapter E, Chapter 1079, Special District
 1-35 Local Laws Code, is amended by adding Sections 1079.209 and
 1-36 1079.210 to read as follows:

1-37 Sec. 1079.209. ADDITIONAL MEANS OF SECURING REPAYMENT OF
 1-38 BONDS. In addition to the authority to issue general obligation
 1-39 bonds and revenue bonds under this subchapter, the board may
 1-40 provide for the security and payment of district bonds from a pledge
 1-41 of a combination of ad valorem taxes as authorized by Section
 1-42 1079.202 and revenue and other sources authorized by Section
 1-43 1079.204.

1-44 Sec. 1079.210. USE OF BOND PROCEEDS. The district may use
 1-45 the proceeds of bonds issued under this subchapter to pay:

1-46 (1) any expense the board determines is reasonable and
 1-47 necessary to issue, sell, and deliver the bonds;

1-48 (2) interest payments on the bonds during a period of
 1-49 acquisition or construction of a project or facility to be provided
 1-50 through the bonds, not to exceed five years;

1-51 (3) costs related to the operation and maintenance of
 1-52 a project or facility to be provided through the bonds:

1-53 (A) during an estimated period of acquisition or
 1-54 construction, not to exceed five years; and

1-55 (B) for one year after the project or facility is
 1-56 acquired or constructed;

1-57 (4) costs related to the financing of the bond funds,
 1-58 including debt service reserve and contingency funds;

1-59 (5) costs related to the bond issuance;

1-60 (6) costs related to the acquisition of land or
 1-61 interests in land for a project or facility to be provided through

2-1 the bonds; and
 2-2 (7) costs of construction of a project or facility to
 2-3 be provided through the bonds, including the payment of related
 2-4 professional services and expenses.

2-5 SECTION 3. Chapter 1079, Special District Local Laws Code,
 2-6 is amended by adding Subchapter G to read as follows:

2-7 SUBCHAPTER G. DISSOLUTION

2-8 Sec. 1079.301. DISSOLUTION; ELECTION. (a) The district
 2-9 may be dissolved only on approval of a majority of the district
 2-10 voters voting in an election held for that purpose.

2-11 (b) The board may order an election on the question of
 2-12 dissolving the district and disposing of the district's assets and
 2-13 obligations.

2-14 (c) The board shall order an election if the board receives
 2-15 a petition requesting an election that is signed by at least 15
 2-16 percent of the registered voters in the district.

2-17 (d) The order calling the election must state:

2-18 (1) the nature of the election, including the
 2-19 proposition to appear on the ballot;

2-20 (2) the date of the election;

2-21 (3) the hours during which the polls will be open; and

2-22 (4) the location of the polling places.

2-23 Sec. 1079.302. NOTICE OF ELECTION. (a) The board shall
 2-24 give notice of an election under this subchapter by publishing once
 2-25 a week for two consecutive weeks a substantial copy of the election
 2-26 order in a newspaper with general circulation in the district.

2-27 (b) The first publication of the notice must appear not
 2-28 later than the 35th day before the date set for the election.

2-29 Sec. 1079.303. BALLOT. The ballot for an election under
 2-30 this subchapter must be printed to permit voting for or against the
 2-31 proposition: "The dissolution of the Jack County Hospital
 2-32 District."

2-33 Sec. 1079.304. ELECTION RESULTS. (a) If a majority of the
 2-34 votes in an election under this subchapter favor dissolution, the
 2-35 board shall find that the district is dissolved.

2-36 (b) If a majority of the votes in the election do not favor
 2-37 dissolution, the board shall continue to administer the district
 2-38 and another election on the question of dissolution may not be held
 2-39 before the first anniversary of the date of the most recent election
 2-40 to dissolve the district.

2-41 Sec. 1079.305. TRANSFER OR ADMINISTRATION OF ASSETS. (a)
 2-42 If a majority of the votes in an election held under this subchapter
 2-43 favor dissolution, the board shall:

2-44 (1) transfer the land, buildings, improvements,
 2-45 equipment, and other assets that belong to the district to Jack
 2-46 County or another governmental entity in Jack County; or

2-47 (2) administer the property, assets, and debts until
 2-48 all money has been disposed of and all district debts have been paid
 2-49 or settled.

2-50 (b) If the board makes the transfer under Subsection (a)(1),
 2-51 the county or entity assumes all debts and obligations of the
 2-52 district at the time of the transfer, and the district is dissolved.

2-53 (c) If Subsection (a)(1) does not apply and the board
 2-54 administers the property, assets, and debts of the district under
 2-55 Subsection (a)(2), the district is dissolved when all money has
 2-56 been disposed of and all district debts have been paid or settled.

2-57 Sec. 1079.306. IMPOSITION OF TAX AND RETURN OF SURPLUS
 2-58 TAXES. (a) After the board finds that the district is dissolved,
 2-59 the board shall:

2-60 (1) determine the debt owed by the district; and

2-61 (2) impose on the property included in the district's
 2-62 tax rolls a tax that is in proportion of the debt to the property
 2-63 value.

2-64 (b) On the payment of all outstanding debts and obligations
 2-65 of the district, the board shall order the secretary to return to
 2-66 each district taxpayer the taxpayer's pro rata share of all unused
 2-67 tax money.

2-68 (c) A taxpayer may request that the taxpayer's share of
 2-69 surplus tax money be credited to the taxpayer's county taxes. If a

3-1 taxpayer requests the credit, the board shall direct the secretary
3-2 to transmit the money to the county tax assessor-collector.

3-3 Sec. 1079.307. REPORT; DISSOLUTION ORDER. (a) After the
3-4 district has paid all district debts and has disposed of all
3-5 district money and other assets as prescribed by this subchapter,
3-6 the board shall file a written report with the Commissioners Court
3-7 of Jack County summarizing the board's actions in dissolving the
3-8 district.

3-9 (b) Not later than the 10th day after the date the
3-10 Commissioners Court of Jack County receives the report and
3-11 determines that the requirements of this subchapter have been
3-12 fulfilled, the commissioners court shall enter an order dissolving
3-13 the district and releasing the board from any further duty or
3-14 obligation.

3-15 SECTION 4. (a) The election of the board of directors of the
3-16 Jack County Hospital District scheduled to be held in 2014 must be
3-17 held in November of that year. The directors elected to places 1
3-18 and 3 at the election shall serve three-year terms. The director
3-19 elected to place 5 at the election shall serve a two-year term.

3-20 (b) The election of the board of directors scheduled to be
3-21 held in November 2015 must be held, and the directors elected to
3-22 places 2 and 4 at that election shall serve three-year terms.

3-23 (c) The directors elected at the elections to be held in
3-24 November 2016, November 2017, and November 2018 shall serve
3-25 three-year terms.

3-26 SECTION 5. (a) Except as provided by Subsection (b) of this
3-27 section:

3-28 (1) this Act takes effect immediately if it receives a
3-29 vote of two-thirds of all the members elected to each house, as
3-30 provided by Section 39, Article III, Texas Constitution; and

3-31 (2) if this Act does not receive the vote necessary for
3-32 immediate effect, this Act takes effect September 1, 2013.

3-33 (b) Section 1079.051, Special District Local Laws Code, as
3-34 amended by this Act, takes effect September 1, 2014.

3-35 * * * * *