

BILL ANALYSIS

C.S.S.B. 1461
By: West
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A recent report regarding the Dallas County Hospital District recommended increasing the number of board members and the length of member terms, which interested parties note would allow for broader expertise, experience, and perspectives in the boardroom and reduce the burden of work on individual members. C.S.S.B. 1461 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 1461 amends the Health and Safety Code to establish that the Dallas County Hospital District is governed by a board composed of 11 members, with one member appointed by the Dallas County Commissioners Court, two members appointed by each commissioner on the commissioners court, and two members appointed by the county judge. The bill establishes that board members serve staggered three-year terms with as near as possible to one-third of the members' terms expiring each year.

C.S.S.B. 1461 requires the commissioners court, on or after September 1, 2022, to appoint members to the board in accordance with statutory provisions providing for a board of hospital managers composed of not less than five or more than seven members and generally providing for two-year terms for members. The bill specifies that such requirement does not affect the entitlement of a member appointed to the board under the bill's provisions before such date to continue to carry out the member's functions for the remainder of the member's term and requires the commissioners court, on the expiration of the terms of such members, to take appropriate action to ensure that, as soon as possible, the district's board complies with the requirements of such statutory provisions.

C.S.S.B. 1461 provides for the staggered expiration of the terms of the board members serving on the bill's effective date and requires the commissioners court, at the time such staggered terms are determined, to establish the specific date on which the terms of board members expire each year. The bill requires the additional board members required by the bill's provisions to be appointed not later than January 1, 2016.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 1461 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Section 281.021, Health and Safety Code, is amended by adding Subsection (f) to read as follows:

(f) The Dallas County Hospital District is governed by a board composed of 11 members, appointed as follows:

(1) the Dallas County Commissioners Court shall appoint one member;

(2) each commissioner on the Dallas County Commissioners Court shall appoint two members; and

(3) the county judge of Dallas County shall appoint two members.

SECTION 2. Section 281.022, Health and Safety Code, is amended by adding Subsection (e) to read as follows:

(e) The members of the board of hospital managers of the Dallas County Hospital District serve staggered three-year terms, with as near as possible to one-third of the members' terms expiring each year.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter B, Chapter 281, Health and Safety Code, is amended by adding Section 281.0211 to read as follows:

Sec. 281.0211. APPOINTMENT OF DALLAS COUNTY HOSPITAL DISTRICT BOARD; MEMBERS' TERMS.

(a) The Dallas County Hospital District is governed by a board composed of 11 members, appointed as follows:

(1) the Dallas County Commissioners Court shall appoint one member;

(2) each commissioner on the Dallas County Commissioners Court shall appoint two members; and

(3) the county judge of Dallas County shall appoint two members.

(b) Board members appointed under this section serve staggered three-year terms, with as near as possible to one-third of the members' terms expiring each year.

(c) On or after September 1, 2022, the Dallas County Commissioners Court shall appoint members to the board in accordance with Sections 281.021(a) and 281.022(a).

(d) Subsection (c) does not affect the entitlement of a member of the board of the Dallas County Hospital District appointed to the board under this section before September 1, 2022, to continue to carry out the member's functions for the remainder of the member's term.

(e) On the expiration of the terms of the board members described by Subsection (d), the Dallas County Commissioners Court shall take appropriate action to ensure that, as soon as possible, the board of the Dallas County Hospital District complies with the requirements of Sections 281.021(a) and

281.022(a).

SECTION 3. (a) The members of the board of hospital managers of the Dallas County Hospital District serving on the effective date of this Act may draw lots or use another method to determine the members, the number of whom must be as near as possible to one-third of the total number of members, who shall serve terms that expire in 2018, the members, the number of whom must be as near as possible to one-third of the total number of members, who shall serve terms that expire in 2017, and the members, the number of whom must be as near as possible to one-third of the total number of members, who shall serve terms that expire in 2016. The members of the board appointed to succeed the members serving on the effective date of this Act shall serve three-year terms.

(b) At the time the terms of the board of hospital managers of the Dallas County Hospital District are determined under Subsection (a) of this section, the Dallas County Commissioners Court shall establish the specific date on which the terms of members of the board of hospital managers shall expire each year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SECTION 2. (a) The members of the board of hospital managers of the Dallas County Hospital District serving on the effective date of this Act may draw lots or use another method to determine the members, the number of whom must be as near as possible to one-third of the total number of members, who shall serve terms that expire in 2018, the members, the number of whom must be as near as possible to one-third of the total number of members, who shall serve terms that expire in 2017, and the members, the number of whom must be as near as possible to one-third of the total number of members, who shall serve terms that expire in 2016. The members of the board appointed to succeed the members serving on the effective date of this Act shall serve three-year terms.

(b) At the time the terms of the board of hospital managers of the Dallas County Hospital District are determined under Subsection (a) of this section, the Dallas County Commissioners Court shall establish the specific date on which the terms of members of the board of hospital managers shall expire each year.

(c) The additional members of the board of hospital managers of the Dallas County Hospital District required by Section 281.0211, Health and Safety Code, as added by this Act, must be appointed not later than January 1, 2016.

SECTION 3. Same as engrossed version.