

By: King of Uvalde

H.B. No. 4279

A BILL TO BE ENTITLED

1 AN ACT

2 relating to expansion of the territory of the Frio Hospital  
3 District and to the election of the board of directors of the  
4 district.

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

6 SECTION 1. Section 1030.004, Special District Local Laws  
7 Code, is amended to read as follows:

8 Sec. 1030.004. DISTRICT TERRITORY. Unless the district's  
9 boundaries are expanded under Subchapter H, the [~~The~~] boundaries of  
10 the district are coextensive with the boundaries of Frio County,  
11 Texas, except that a portion of the southern boundary follows the  
12 boundary of the Frio River beginning at the intersection of the  
13 south county line and the Frio River to the point at which the  
14 boundary intersects the Leona River and follows the Leona River to  
15 the west county line.

16 SECTION 2. Sections 1030.051(a) and (b), Special District  
17 Local Laws Code, are amended to read as follows:

18 (a) Unless the district's boundaries are expanded under  
19 Subchapter H, the [~~The~~] district is governed by a board of seven  
20 directors.

21 (b) Unless the district's boundaries are expanded under  
22 Subchapter H:

23 (1) two [~~Two~~] directors are elected from each  
24 commissioners precinct and one director is elected from the

1 district at large; and

2 (2) the [~~. The~~] portion of Precinct 4 that is in the  
3 district is combined with Precinct 1 to represent one precinct.

4 SECTION 3. Section 1030.052, Special District Local Laws  
5 Code, is amended to read as follows:

6 Sec. 1030.052. NOTICE OF ELECTION. Notice [~~At least 35 days~~  
7 ~~before the date~~] of an election of directors[~~, notice of the~~  
8 ~~election~~] shall be published in accordance with Section 4.003,  
9 Election Code [~~one time in a newspaper with general circulation in~~  
10 ~~the district~~].

11 SECTION 4. Section 1030.053, Special District Local Laws  
12 Code, is amended to read as follows:

13 Sec. 1030.053. BALLOT APPLICATION [~~PETITION~~]. A person who  
14 wants to have the person's name printed on the ballot as a candidate  
15 for director must file with the board secretary an application in  
16 accordance with Chapter 144, Election Code [~~a petition requesting~~  
17 ~~that action. The petition must:~~

18 [~~(1) be signed by at least 10 registered voters of the~~  
19 ~~district as determined by the most recent official list of~~  
20 ~~registered voters;~~

21 [~~(2) be filed not later than the 31st day before the~~  
22 ~~date of the election; and~~

23 [~~(3) specify the commissioners precinct the candidate~~  
24 ~~wants to represent or specify that the candidate wants to represent~~  
25 ~~the district at large~~].

26 SECTION 5. Chapter 1030, Special District Local Laws Code,  
27 is amended by adding Subchapter H to read as follows:

1 SUBCHAPTER H. EXPANSION OF TERRITORY TO INCLUDE ALL OF FRIO COUNTY

2 Sec. 1030.351. PETITION TO EXPAND DISTRICT TERRITORY. (a)

3 Registered voters of a defined territory composed of all territory  
4 within Frio County that does not include the territory of the  
5 district may file a petition with the board secretary requesting  
6 inclusion of the territory in the district.

7 (b) The petition must be signed by at least 50 registered  
8 voters of the territory or a majority of those voters, whichever is  
9 less.

10 Sec. 1030.352. NOTICE OF HEARING. (a) The board by order  
11 shall set a time and place to hold a hearing on the petition  
12 described by Section 1030.351.

13 (b) The hearing may not be held earlier than the 31st day  
14 after the date the board issues the order.

15 Sec. 1030.353. ORDER OF ANNEXATION. (a) If, after the  
16 hearing, the board finds that annexation of the territory into the  
17 district would be feasible and would benefit the district, the  
18 board may approve the annexation by a resolution entered in its  
19 minutes.

20 (b) The board is not required to include all of the  
21 territory described in the petition if the board finds that a change  
22 is necessary or desirable.

23 Sec. 1030.354. RATIFICATION ELECTION. (a) Annexation of  
24 territory is final when approved by a majority of the voters at:

25 (1) an election held in the district; and

26 (2) a separate election held on the same date in the  
27 territory to be annexed.

1        (b) If the district has outstanding debts or taxes, the  
2 voters in the elections to approve annexation must also determine  
3 whether the annexed territory will assume its portion of the debts  
4 or taxes on annexation.

5        Sec. 1030.355. BALLOT. The ballot for the elections shall  
6 be printed to permit voting for or against the following, as  
7 applicable:

8            (1) "Adding (description of territory to be added) to  
9 the Frio Hospital District."

10          (2) "(Description of territory to be added) assuming  
11 its proportionate share of the outstanding debts and taxes of the  
12 Frio Hospital District, if it is added to the district."

13        Sec. 1030.356. ANNEXATION ELECTION. (a) An election held  
14 under this subchapter to annex territory must be ordered in  
15 accordance with Chapter 3, Election Code.

16        (b) Notice of an election held under this subchapter to  
17 annex territory must be given as provided by Chapter 4, Election  
18 Code.

19        Sec. 1030.357. COMPOSITION AND ELECTION OF BOARD FOLLOWING  
20 ANNEXATION. (a) If annexation is approved, the board shall be  
21 governed by a board of nine directors with two directors elected  
22 from each commissioners precinct and one director elected at large.

23        (b) At the next regularly scheduled board meeting following  
24 the canvassing of the election to expand the district's territory,  
25 the board shall appoint two individuals who meet the qualifications  
26 under Section 1030.054 to serve as temporary directors representing  
27 Precinct 4 until the date of the next regular election of directors.

1        (c) On the date of the next regular election following the  
2 approval of annexation, in addition to the directors scheduled to  
3 be elected at that election, two directors shall be elected from  
4 Precinct 4.

5        (d) The two initial directors elected from Precinct 4 shall  
6 draw lots to determine which director shall serve a one-year term.

7        SECTION 6. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2017.