

1-1 By: Seliger S.B. No. 1950
1-2 (In the Senate - Filed March 7, 2019; March 19, 2019, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 11, 2019, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 11, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the Donley County Hospital District.
1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-19 SECTION 1. Section 1021.061(c), Special District Local Laws
1-20 Code, is amended to read as follows:
1-21 (c) The board may delegate to the district administrator the
1-22 authority to hire district employees, including technicians and
1-23 nurses, for the efficient operation of the district.
1-24 SECTION 2. Subchapter B, Chapter 1021, Special District
1-25 Local Laws Code, is amended by adding Sections 1021.063, 1021.064,
1-26 and 1021.065 to read as follows:
1-27 Sec. 1021.063. MAINTENANCE OF RECORDS. The board shall:
1-28 (1) keep minutes of all board meetings and
1-29 proceedings; and
1-30 (2) maintain at the district's principal office all
1-31 district records and accounts, including all contracts, notices,
1-32 duplicate vouchers, and duplicate receipts.
1-33 Sec. 1021.064. RECRUITMENT OF MEDICAL PERSONNEL. (a) The
1-34 board may spend district money to recruit physicians, nurses, and
1-35 other trained medical personnel.
1-36 (b) The board may pay the tuition or other expenses of a
1-37 full-time medical student or other student in a health occupation
1-38 who:
1-39 (1) is enrolled in and is in good standing at an
1-40 accredited medical school, college, or university; and
1-41 (2) contractually agrees to become a district employee
1-42 or independent contractor in return for that assistance.
1-43 Sec. 1021.065. EDUCATIONAL PROGRAMS; COURSES. The board
1-44 may provide or contract for the provision of educational programs
1-45 or courses for district employees, medical staff, board members,
1-46 and the public as necessary or beneficial to promote the mission of
1-47 the district.
1-48 SECTION 3. Section 1021.103, Special District Local Laws
1-49 Code, is amended to read as follows:
1-50 Sec. 1021.103. MANAGEMENT, CONTROL, AND ADMINISTRATION.
1-51 (a) The board shall manage, control, and administer the hospital
1-52 system and the district's money and resources.
1-53 (b) The board may delegate to the district administrator
1-54 the authority to manage, control, and administer the hospital, the
1-55 hospital system, and the district's business, money, and resources
1-56 under the board's oversight.
1-57 SECTION 4. Section 1021.104, Special District Local Laws
1-58 Code, is amended to read as follows:
1-59 Sec. 1021.104. HOSPITAL SYSTEM. (a) The district shall
1-60 provide for the establishment of a hospital or hospital system in
1-61 the district by:

2-1 (1) leasing, purchasing, constructing, acquiring,
2-2 repairing, or renovating buildings and improvements;
2-3 (2) equipping the buildings and improvements; and
2-4 (3) administering the buildings and improvements for
2-5 hospital purposes.

2-6 (b) The hospital system, as determined by the board, may
2-7 include:

2-8 (1) facilities for domiciliary care of the sick,
2-9 injured, or geriatric;

2-10 (2) ~~[facilities for]~~ outpatient clinics and related
2-11 facilities;

2-12 (3) dispensaries;

2-13 (4) convalescent home facilities;

2-14 (5) necessary nurses centers;

2-15 (6) research centers or laboratories;

2-16 (7) nursing homes or similar facilities for the care
2-17 of the elderly;

2-18 (8) blood banks; and

2-19 (9) ~~(8)~~ any other facilities the board considers
2-20 necessary for hospital care.

2-21 (c) The district may operate or provide for the operation of
2-22 a mobile emergency medical or air ambulance service as part of the
2-23 hospital system.

2-24 SECTION 5. Section 1021.105, Special District Local Laws
2-25 Code, is amended to read as follows:

2-26 Sec. 1021.105. RULES. The board may adopt rules governing
2-27 the operation of the hospital, the hospital system, and the
2-28 district's staff and employees and as otherwise required to
2-29 administer this chapter.

2-30 SECTION 6. Section 1021.107, Special District Local Laws
2-31 Code, is amended to read as follows:

2-32 Sec. 1021.107. DISTRICT PROPERTY, FACILITIES, AND
2-33 EQUIPMENT. (a) The board shall determine the type, number, and
2-34 location of buildings required for district purposes ~~[to maintain~~
2-35 ~~an adequate hospital system]~~. The board may purchase or lease
2-36 buildings, materials, supplies, equipment, and vehicles for
2-37 district purposes.

2-38 (b) The board may ~~[contract with the Health and Human~~
2-39 ~~Services Commission to]~~ lease all or part of the district's
2-40 buildings and other facilities on terms considered to be in the best
2-41 interest of the district's inhabitants. The term of the lease may
2-42 not exceed 25 years.

2-43 (c) The district may acquire equipment, land, improvements,
2-44 or vehicles for use by in the district ~~[district's hospital~~
2-45 ~~system]~~ and mortgage or pledge the property as security for the
2-46 payment of the purchase price. A contract entered into under this
2-47 subsection for equipment or vehicles must provide that the entire
2-48 obligation be retired not later than the fifth anniversary of the
2-49 date of the contract.

2-50 (d) The district may sell or otherwise dispose of any
2-51 property, including equipment and vehicles, on terms the board
2-52 finds are in the best interest of the district's inhabitants.

2-53 SECTION 7. Section 1021.110, Special District Local Laws
2-54 Code, is amended to read as follows:

2-55 Sec. 1021.110. CONSTRUCTION OR PURCHASE CONTRACTS. A
2-56 construction or purchase contract that involves the expenditure of
2-57 more than the amount provided by Section 271.024, Local Government
2-58 Code, must comply with the competitive procurement requirements
2-59 ~~[\$2,000 may be made only after advertising in the manner]~~ provided
2-60 by Chapter 252, 262, or 271 ~~[and Subchapter C, Chapter 262]~~, Local
2-61 Government Code, as applicable.

2-62 SECTION 8. Section 1021.112, Special District Local Laws
2-63 Code, is amended to read as follows:

2-64 Sec. 1021.112. CONTRACTS WITH GOVERNMENTAL ENTITIES FOR
2-65 CARE AND [HOSPITAL] TREATMENT. (a) The board may contract with a
2-66 county or municipality located outside the district's boundaries
2-67 for the care and treatment [hospitalization] of a sick or injured
2-68 person of that county or municipality.

2-69 (b) The board may contract with this state or a federal

3-1 agency for the care and [hospital] treatment of a sick or injured
3-2 person for whom this state or the agency is responsible.

3-3 SECTION 9. Subchapter C, Chapter 1021, Special District
3-4 Local Laws Code, is amended by adding Section 1021.116 to read as
3-5 follows:

3-6 Sec. 1021.116. FACILITIES OR SERVICES FOR PERSONS WHO ARE
3-7 ELDERLY OR PERSONS WITH DISABILITIES. (a) The district may:

3-8 (1) purchase, construct, acquire by lease or contract,
3-9 repair, renovate, equip, or administer the following types of
3-10 facilities or services for the care of persons who are elderly or
3-11 persons with disabilities:

3-12 (A) a nursing home or similar long-term care
3-13 facility;

3-14 (B) elderly housing;

3-15 (C) assisted living;

3-16 (D) home health;

3-17 (E) personal care;

3-18 (F) special care; or

3-19 (G) continuing care; and

3-20 (2) purchase, acquire by lease or contract, repair, or
3-21 equip durable medical equipment to provide services to persons who
3-22 are elderly or to persons with disabilities.

3-23 (b) For a facility or service described by Subsection (a),
3-24 the board may:

3-25 (1) lease or enter into an operating or management
3-26 agreement relating to all or part of a facility or service that is
3-27 owned by the district;

3-28 (2) close, transfer, sell, or otherwise convey all or
3-29 part of a facility; and

3-30 (3) discontinue all or part of a service.

3-31 (c) The board may issue general obligation bonds, revenue
3-32 bonds, and other notes to acquire, construct, or improve a facility
3-33 for the care of persons who are elderly or of persons with
3-34 disabilities or to implement the delivery of a service for the care
3-35 of persons who are elderly or of persons with disabilities.

3-36 (d) For the purposes of this section, a facility or service
3-37 described by Subsection (a) is a hospital project under Chapter
3-38 223, Health and Safety Code, notwithstanding Section 223.002 of
3-39 that chapter.

3-40 SECTION 10. Section 1021.157, Special District Local Laws
3-41 Code, is amended to read as follows:

3-42 Sec. 1021.157. INSPECTION OF AUDIT AND DISTRICT RECORDS.
3-43 The audit and other district records, including records described
3-44 by Section 1021.063, shall be open to public inspection at the
3-45 district's principal office.

3-46 SECTION 11. Subchapter D, Chapter 1021, Special District
3-47 Local Laws Code, is amended by adding Sections 1021.161 and
3-48 1021.162 to read as follows:

3-49 Sec. 1021.161. GENERAL AUTHORITY TO BORROW MONEY; SECURITY.

3-50 (a) Notwithstanding Section 1021.160, the board may borrow money
3-51 at a rate not to exceed the maximum annual percentage rate allowed
3-52 by law for district obligations at the time the loan is made.

3-53 (b) To secure a loan, the board may pledge:

3-54 (1) district revenue that is not pledged to pay the
3-55 district's bonded indebtedness;

3-56 (2) a district tax to be imposed by the district in the
3-57 next 12-month period that is not pledged to pay the principal of or
3-58 interest on district bonds; or

3-59 (3) district bonds that have been authorized but not
3-60 sold.

3-61 (c) A loan for which taxes or bonds are pledged must mature
3-62 not later than the first anniversary of the date the loan is made. A
3-63 loan for which district revenue is pledged must mature not later
3-64 than the fifth anniversary of the date the loan is made.

3-65 Sec. 1021.162. AUTHORITY TO BORROW MONEY IN EMERGENCY;

3-66 SECURITY. (a) Notwithstanding Section 1021.160, the board may
3-67 borrow money at a rate not to exceed the maximum annual percentage
3-68 rate allowed by law for district obligations at the time the loan is
3-69 made if the board declares that:

4-1 (1) money is not available to meet authorized
4-2 obligations of the district; and

4-3 (2) an emergency exists.

4-4 (b) To secure a loan, the board may pledge:

4-5 (1) district revenue that is not pledged to pay the
4-6 district's bonded indebtedness;

4-7 (2) a district tax to be imposed by the district in the
4-8 next 12-month period that is not pledged to pay the principal of or
4-9 interest on district bonds; or

4-10 (3) district bonds that have been authorized but not
4-11 sold.

4-12 (c) A loan for which taxes or bonds are pledged must mature
4-13 not later than the first anniversary of the date the loan is made. A
4-14 loan for which district revenue is pledged must mature not later
4-15 than the fifth anniversary of the date the loan is made.

4-16 (d) The board may not spend money obtained from a loan under
4-17 this section for any purpose other than:

4-18 (1) the purpose for which the board declared an
4-19 emergency; and

4-20 (2) if district taxes or bonds are pledged to pay the
4-21 loan, the purpose for which the pledged taxes were imposed or the
4-22 pledged bonds were authorized.

4-23 SECTION 12. Section 1021.201, Special District Local Laws
4-24 Code, is amended to read as follows:

4-25 Sec. 1021.201. GENERAL OBLIGATION BONDS. The board may
4-26 issue and sell general obligation bonds in the name and on the faith
4-27 and credit of the district for any purpose relating to:

4-28 (1) the purchase, construction, acquisition, repair,
4-29 or renovation of buildings or improvements; ~~and~~

4-30 (2) equipping buildings or improvements for hospital
4-31 purposes; or

4-32 (3) acquiring and operating a mobile emergency medical
4-33 or air ambulance service.

4-34 SECTION 13. This Act takes effect immediately if it
4-35 receives a vote of two-thirds of all the members elected to each
4-36 house, as provided by Section 39, Article III, Texas Constitution.
4-37 If this Act does not receive the vote necessary for immediate
4-38 effect, this Act takes effect September 1, 2019.

4-39 * * * * *