

BILL ANALYSIS

Senate Research Center
89R15357 SRA-F

S.B. 2784
By: Birdwell
Local Government
5/18/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When the Somervell County Hospital District was created, an election for seven board members was held. In the initial election of directors in May 2014, seven candidates received the highest votes. However, two of the seven received the same number of votes tying for the fourth-highest number of votes. This meant a question arose as to how to decide which of those two candidates would serve a two-year term and which would serve a one-year term. Issues like this could have been decided by drawing lots, but one of the two candidates would not agree to that. Therefore, an attorney general opinion was requested by the Somervell County Attorney.

The attorney general opined that "a court could conclude that when two directors of a seven-member board both receive the fourth-highest total number of votes, they both are included in the majority who serve two-year terms."

As a result, the election cycle has an uneven board election cycle of 5/2 with two-year terms. This heavily staggered election cycle makes continuity of the board membership's goals difficult to obtain with the board membership subject to rapid change every other year. An increase in term length and less disruptive election cycle would allow board members more time to learn about the hospital district's operations and provide for a continuity of oversight by the District Board. The Somervell County Hospital District passed a resolution in November of 2024 to increase the term length and address these issues.

S.B. 2784 would alter the election cycle and term length of the Somervell County Hospital District board members. The elections would be set at the uniform election date in May to elect new board members to four-year terms. The elections for board members would be adjusted to allow a staggered election rotation of board members up for election. The new staggered election cycle would happen as follows:

- Year 1: 2 board members up for election
- Year 2: 2 board members up for election
- Year 3: 3 board members up for election
- Year 4: 0 board members up for election

As proposed, S.B. 2784 amends current law relating to the election of the board of directors of the Somervell County Hospital District.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle A, Title 3, Special District Local Laws Code, by adding Chapter 1123, as follows:

CHAPTER 1123. SOMERVELL COUNTY HOSPITAL DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 1123.001. DEFINITIONS. Defines "board," "director," and "district."

SUBCHAPTER B. DISTRICT ADMINISTRATION

Sec. 1123.051. BOARD OF DIRECTORS. Provides that the board of directors of the Somervell County Hospital District (board; district) consists of seven elected members of the board (directors).

Sec. 1123.052. TERMS; ELECTION. (a) Provides that directors serve staggered four-year terms.

(b) Requires that an election be held on the uniform election date in May of appropriate years to elect the appropriate number of directors.

SECTION 2. (a) Requires a director of the district who is serving on the day before the effective date of this Act to continue to serve until the director's term expires and the director's successor has qualified.

(b) Requires the directors of the district elected at the directors' election held in May of 2026, notwithstanding Section 1123.052, Special District Local Laws Code, as added by this Act, to draw lots to determine which two directors serve two-year terms and which three directors serve three-year terms.

(c) Requires the directors of the district elected at the directors' election held in May of 2027 to serve four-year terms.

(d) Requires a director of the district who succeeds a director described by Subsection (b) or (c) of this section to serve a four-year term.

SECTION 3. Effective date: September 1, 2025.