

By: Darby

H.B. No. 2438

A BILL TO BE ENTITLED

AN ACT

relating to the operations and administration of the Concho County Hospital District.

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

SECTION 1. Section 1016.053, Special District Local Laws Code, is amended to read as follows:

Sec. 1016.053. BALLOT APPLICATION [~~PETITION~~]. A person who wants to have the person's name printed on the ballot as a candidate for director must file an application with the board secretary in accordance with Chapter 144, Election Code [~~a petition requesting that action. The petition must be:~~

~~(1) signed by at least 10 registered taxpaying voters; and~~

~~(2) filed by the deadline imposed by Section 144.005, Election Code].~~

SECTION 2. Section 1016.054, Special District Local Laws Code, is amended to read as follows:

Sec. 1016.054. QUALIFICATIONS FOR OFFICE. (a) A person may not be elected or appointed as a director unless the person is:

(1) a district resident; and

(2) a qualified voter [~~+~~

~~(3) a freeholder; and~~

~~(4) at least 18 years of age when elected or appointed].~~

1 (b) A person may not be elected or appointed as a director if
2 the person is a district employee.

3 SECTION 3. Section 1016.057, Special District Local Laws
4 Code, is amended to read as follows:

5 Sec. 1016.057. OFFICERS. The board shall elect a
6 president, a vice president, and a secretary from among its
7 members.

8 SECTION 4. The heading to Section 1016.060, Special
9 District Local Laws Code, is amended to read as follows:

10 Sec. 1016.060. DISTRICT ADMINISTRATOR [~~;~~ ~~ASSISTANT~~
11 ~~ADMINISTRATOR~~].

12 SECTION 5. Section 1016.060(c), Special District Local Laws
13 Code, is amended to read as follows:

14 (c) The district administrator serves [~~and any assistant~~
15 ~~administrator serve~~] at the will of the board and is [~~are~~] entitled
16 to the compensation determined by the board.

17 SECTION 6. Section 1016.110, Special District Local Laws
18 Code, is amended to read as follows:

19 Sec. 1016.110. CONSTRUCTION [~~OR PURCHASE~~] CONTRACTS. (a)
20 The board may enter into construction contracts for the district.

21 (b) The board may enter into a public work contract as
22 authorized under Chapter 2269, Government Code.

23 (c) Chapter 2253, Government Code, as it relates to
24 performance and payment bonds, applies to the district's
25 construction contracts [~~A construction or purchase contract that~~
26 ~~involves the expenditure of more than \$2,000 may be made only after~~
27 ~~advertising in the manner provided by Chapter 252 and Subchapter C,~~

1 ~~Chapter 262, Local Government Code].~~

2 SECTION 7. Section 1016.160(a), Special District Local Laws
3 Code, is amended to read as follows:

4 (a) Except as otherwise provided by Section 1016.107(c) of
5 this code, Section 315.002, Health and Safety Code, this
6 subchapter, and Subchapter E of this chapter, the district may not
7 incur a debt [~~an obligation~~] payable from district revenue other
8 than the revenue on hand or to be on hand in the current and
9 following district fiscal years.

10 SECTION 8. The following provisions of the Special District
11 Local Laws Code are repealed:

12 (1) Section 1016.055; and

13 (2) Sections 1016.060(b) and (d).

14 SECTION 9. (a) The changes in law made by this Act to
15 Section 1016.053, Special District Local Laws Code, apply only to
16 an election ordered on or after the effective date of this Act.

17 (b) The changes in law made by this Act to Section 1016.054,
18 Special District Local Laws Code:

19 (1) do not affect the entitlement of a director
20 serving on the board of directors immediately before the effective
21 date of this Act to continue to serve on the board for the remainder
22 of the director's term;

23 (2) apply only to a member of the board of directors
24 elected or appointed to the board on or after the effective date of
25 this Act; and

26 (3) do not prohibit a director serving on the board of
27 directors on the effective date of this Act from being reelected or

1 reappointed to the board if the director has the qualifications
2 required for membership on the board under Section 1016.054,
3 Special District Local Laws Code, as amended by this Act.

4 SECTION 10. This Act takes effect immediately if it
5 receives a vote of two-thirds of all the members elected to each
6 house, as provided by Section 39, Article III, Texas Constitution.
7 If this Act does not receive the vote necessary for immediate
8 effect, this Act takes effect September 1, 2025.