SECTION 4. Section 571.122, Government Code, as amended by this Act, and Section 571.142, Government Code, as added by this Act, apply only to a sworn complaint filed with the Texas Ethics Commission on or after September 1, 2009.

SECTION 5. This Act takes effect September 1, 2009.

Passed by the House on April 28, 2009: Yeas 107, Nays 36, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 677 on May 29, 2009: Yeas 129, Nays 2, 1 present, not voting; passed by the Senate, with amendments, on May 26, 2009: Yeas 30, Nays 1.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 605

H.B. No. 694

AN ACT

relating to Gonzales Healthcare Systems.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 1032.051(b), Special District Local Laws Code, is amended to read as follows:

(b) Directors serve staggered [two year terms—unless] four-year terms [are established under Section 285.081, Health and Safety Code].

SECTION 2. Section 1032.052, Special District Local Laws Code, is amended to read as follows:

Sec. 1032.052. NOTICE OF ELECTION. Notice [At least 45 days before the date of an election of directors, notice] of an [the] election of directors shall be published in accordance with Section 4.003, Election Code, [one time] in a newspaper or newspapers that individually or collectively have general circulation in the district.

SECTION 3. Section 1032.110, Special District Local Laws Code, is amended to read as follows:

Sec. 1032.110. CONSTRUCTION CONTRACTS. A construction contract that involves the expenditure of more than the amount provided by Section 271.024, Local Government Code, [$10,000] may be made only after competitive bidding [advertising] in the manner provided by Subchapter B, Chapter 271 [Chapter 252 and Subchapter C, Chapter 262], Local Government Code.

SECTION 4. Subchapter D, Chapter 1032, Special District Local Laws Code, is amended by adding Section 1032.161 to read as follows:

Sec. 1032.161. GENERAL AUTHORITY TO BORROW MONEY; SECURITY. (a) The board may borrow money at a rate not to exceed the maximum annual percentage rate allowed by law for district obligations at the time the loan is made.

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

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

(2) a district tax to be imposed by the district in the next 12–month period following the date of the pledge that is not pledged to pay the principal of or interest on district bonds; or

(3) a district bond that has been authorized but not sold.

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

SECTION 5. Subchapter E, Chapter 1032, Special District Local Laws Code, is amended by adding Sections 1032.209 and 1032.210 to read as follows:

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Sec. 1032.209. ADDITIONAL MEANS OF SECURING REPAYMENT OF BONDS. In addition to the authority to issue general obligation bonds and revenue bonds under this subchapter, the board may provide for the security and payment of district bonds from a pledge of a combination of ad valorem taxes as authorized by Section 1032.202 and revenue and other sources authorized by Section 1032.206.

Sec. 1032.210. USE OF BOND PROCEEDS. The district may use the proceeds of bonds issued under this subchapter to pay:

1. any expense the board determines is reasonable and necessary to issue, sell, and deliver the bonds;
2. interest payments on the bonds during a period of acquisition or construction of a project or facility to be provided through the bonds, not to exceed five years;
3. costs related to the operation and maintenance of a project or facility to be provided through the bonds:
   (A) during an estimated period of acquisition or construction, not to exceed five years; and
   (B) for one year after the project or facility is acquired or constructed;
4. costs related to the financing of the bond funds, including debt service reserve and contingency funds;
5. costs related to the bond issuance;
6. costs related to the acquisition of land or interests in land for a project or facility to be provided through the bonds; and
7. costs of construction of a project or facility to be provided through the bonds, including the payment of related professional services and expenses.

SECTION 6. Chapter 1032, Special District Local Laws Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. DISSOLUTION

Sec. 1032.301. DISSOLUTION; ELECTION. (a) The district may be dissolved only on approval of a majority of the district voters voting in an election held for that purpose.

(b) The board may order an election on the question of dissolving the district and disposing of the district's assets and obligations.

(c) The board shall order an election if the board receives a petition requesting an election that is signed by at least 30 percent of the registered voters in the district.

(d) The order calling the election must state:
   (1) the nature of the election, including the proposition to appear on the ballot;
   (2) the date of the election;
   (3) the hours during which the polls will be open; and
   (4) the location of the polling places.

(e) Section 41.001(a), Election Code, does not apply to an election ordered under this section.

Sec. 1032.302. NOTICE OF ELECTION. (a) The board shall give notice of an election under this subchapter by publishing once a week for two consecutive weeks a substantial copy of the election order in a newspaper with general circulation in the district.

(b) The first publication of the notice must appear not later than the 35th day before the date of the election.

Sec. 1032.303. BALLOT. The ballot for an election under this subchapter must be printed to permit voting for or against the proposition: "The dissolution of Gonzales Healthcare Systems."

Sec. 1032.304. ELECTION RESULTS. (a) If a majority of the votes in an election under this subchapter favor dissolution, the board shall find that the district is dissolved.
Sec. 1032.305. TRANSFER OF ADMINISTRATION OF ASSETS. (a) If a majority of the votes in the election held under this subchapter favor dissolution, the board shall:

(1) transfer the land, buildings, improvements, equipment, and other assets that belong to the district to Gonzales County or another governmental entity in Gonzales County; or

(2) administer the property, assets, and debts until all money has been disposed of and all district debts have been paid or settled.

(b) If the district makes the transfer under Subsection (a)(1), the county or entity assumes all debts and obligations of the district at the time of the transfer, and the district is dissolved.

(c) If Subsection (a)(1) does not apply and the board administers the property, assets, and debts of the district under Subsection (a)(2), the district is dissolved when all money has been disposed of and all district debts have been paid or settled.

Sec. 1032.306. IMPOSITION OF TAX AND RETURN OF SURPLUS TAXES. (a) After the board finds that the district is dissolved, the board shall:

(1) determine the debt owed by the district; and

(2) impose on the property included in the district's tax rolls a tax that is in proportion of the debt to the property value.

(b) On the payment of all outstanding debts and obligations of the district, the board shall order the secretary to return to each district taxpayer the taxpayer's pro rata share of all unused tax money.

(c) A taxpayer may request that the taxpayer's share of surplus tax money be credited to the taxpayer's county taxes. If a taxpayer requests the credit, the board shall direct the secretary to transmit the money to the county tax assessor-collector.

Sec. 1032.307. REPORT; DISSOLUTION ORDER. (a) After the district has paid all its debts and has disposed of all its money and other assets as prescribed by this subchapter, the board shall file a written report with the Commissioners Court of Gonzales County summarizing the board's actions in dissolving the district.

(b) Not later than the 10th day after the date the Commissioners Court of Gonzales County receives the report and determines that the requirements of this subchapter have been fulfilled, the commissioners court shall enter an order dissolving the district and releasing the board from any further duty or obligation.

SECTION 7. Section 1032.053, Special District Local Laws Code, is repealed.

SECTION 8. (a) All elections for directors of Gonzales Healthcare Systems held before the effective date of this Act, and all governmental and proprietary actions of Gonzales Healthcare Systems taken before the effective date of this Act, are validated, ratified, and confirmed in all respects as if the actions had been taken as authorized by law.

(b) This section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court; or

(2) has been held invalid by a final judgment of a court.

SECTION 9. 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, 2009.

Passed by the House on May 15, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.