

BILL ANALYSIS

Senate Research Center

H.B. 3462
By: Margo et al. (Rodriguez)
Intergovernmental Relations
5/18/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that appointees to the board of hospital managers of the El Paso County Hospital District (board; district) should meet certain qualification and approval criteria. H.B. 3462 seeks to address this issue by establishing provisions relating to the board of the district. Specifically, H.B. 3462 prohibits the commissioners court from appointing a person to the board if the person is an employee of El Paso County, a district employee, or related within the third degree of consanguinity or affinity to a member of the commissioners court or to such a person described by this provision.

H.B. 3462 amends current law relating to the board of hospital managers of the El Paso 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 Section 281.021(e), Health and Safety Code, to require the El Paso County Commissioners Court to appoint a board of hospital managers composed of seven members, and to by order provide for the qualifications of appointees to the board.

SECTION 2. Amends Subchapter B, Chapter 281, Health and Safety Code, by adding Section 281.0222, as follows:

Sec. 281.0222. QUALIFICATIONS FOR OFFICE. (a) Provides that this section applies only to the El Paso County Hospital District (district).

(b) Prohibits the El Paso County Commissioners Court from appointing a person to the board of hospital managers of the district (board) if the person is:

(1) an employee of El Paso County;

(2) a district employee; or

(3) related within the third degree of consanguinity or affinity, as determined under Subchapter B (Relationships by Consanguinity or by Affinity), Chapter 573 (Degrees of Relationship; Nepotism Prohibitions), Government Code, to a member of the commissioners court or to a person described by Subdivision (1) or (2).

SECTION 3. Amends Section 281.031, Health and Safety Code, as follows:

Sec. 281.031. REMOVAL OF BOARD MEMBER. (a) Provides that a member of the board is considered to have resigned the member's position if the member:

(1)-(2) Makes nonsubstantive changes to these subdivisions;

(3) fails to pay a local tax, including an ad valorem tax, when due; or

(4) would be ineligible to serve on the board as provided by Section 281.0222.

(b) Provides that a resignation under Subsection (a) is effective immediately on the date the absence, disqualifying conduct, or ineligibility specified by Subsection (a) occurs or exists. Deletes existing text providing that a resignation under Subsection (a) is effective immediately on the date the refusal prescribed by Subsection (a) occurs.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: upon passage or September 1, 2011.