

## CHAPTER 571

## H.B. No. 2405

An Act relating to the powers and duties of the board of managers of the Livingston Hospital District of Polk County, Texas, concerning hospital system facilities, property, and equipment and concerning a nonbinding referendum on the sale of or the issuance of bonds to support the district's hospital.

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

**SECTION 1.** Chapter 397, Acts of the 62nd Legislature, Regular Session, 1971, is amended by adding Section 7A to read as follows:

*Sec. 7A. (a) The board of hospital managers shall determine the type, number, and location of facilities required to establish and maintain an adequate hospital system and the type of equipment necessary for hospital care.*

*(b) The board may acquire property, facilities, and equipment for the district for use in the hospital system and may mortgage or pledge the property, facilities, or equipment acquired as security for the payment of the purchase price.*

*(c) The board may lease hospital facilities on behalf of the district and may lease hospital facilities to other persons.*

*(d) The district may operate facilities covered by this section or may enter into a contract with any person to operate a facility.*

(e) *The board may sell or otherwise dispose of property, facilities, or equipment on behalf of the district.*

**SECTION 2.** Chapter 397, Acts of the 62nd Legislature, Regular Session, 1971, is amended by adding Section 21 to read as follows:

*Sec. 21. (a) The board of hospital managers may order a nonbinding referendum to be held in the district to permit qualified voters of the district to express their opinion on whether the district hospital should be sold or general obligation bonds should be issued to support the hospital.*

*(b) The order calling the referendum must state:*

- (1) the nature of the referendum, including the proposition that is to appear on the ballot;*
- (2) the date of the referendum;*
- (3) the hours during which the polls will be open; and*
- (4) the location of the polling places.*

*(c) The board shall give notice of the referendum by publishing a substantial copy of the election order in a newspaper with general circulation in the district once a week for two consecutive weeks. The first publication must appear at least 35 days before the date set for the referendum.*

*(d) The referendum shall be held not less than 35 days nor more than 60 days after the date on which the referendum is ordered.*

*(e) The ballot shall be printed to provide for voting for or against each of the following propositions:*

*(1) "The sale of the hospital facilities of the Livingston Hospital District of Polk County, Texas."*

*(2) "The issuance of general obligation bonds to support the hospital facilities of the Livingston Hospital District of Polk County, Texas."*

*(f) Together with the propositions, the ballot shall have printed on it the following statement: "This referendum is an expression of public opinion only and has no binding effect as law."*

*(g) Not later than the 10th day after the date of the referendum, the board shall meet and canvass the returns of the referendum.*

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 2, 1985, by the following vote: Yeas 138, Nays 0, 1 present, not voting; passed by the Senate on May 17, 1985, by the following vote: Yeas 30, Nays 0.

Approved: June 12, 1985

Effective: Immediately