

CHAPTER 829

S.B. No. 1467

AN ACT

relating to the validation of certain acts and proceedings of certain corporations created under the Health Facilities Development Act and to the authority of corporations created under that Act to refund outstanding bonds.

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

SECTION 1. VALIDATION. (a) In this section, "corporation" means a hospital development corporation that was created or attempted to be created pursuant to the Health Facilities Development Act (Chapter 221, Health and Safety Code).

(b) This section applies to all acts, resolutions, orders, instruments, obligations, and proceedings whatsoever taken, adopted, authorized, issued, entered into, or delivered by any corporation before January 1, 1993.

(c) All such acts, resolutions, orders, instruments, obligations, and proceedings of a corporation before January 1, 1993, are in all respects validated, ratified, approved, and

confirmed as of the date they were taken, adopted, authorized, issued, entered into, or delivered and shall be treated as though they had originally been duly authorized and accomplished in accordance with law. All governmental acts and proceedings of cities, counties, and hospital districts in connection with the authorization and approval of any acts, resolutions, orders, instruments, obligations, and proceedings of a corporation are validated, ratified, approved, and confirmed as of their original date. Any such acts, resolutions, orders, instruments, obligations, or proceedings may be held invalid if they were taken, adopted, authorized, issued, entered into, or delivered with knowledge that the action was illegal or in violation of any criminal law.

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

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

(2) has been held invalid by a court of competent jurisdiction.

SECTION 2. AMENDMENT. Subsection (a), Section 221.065, Health and Safety Code, is amended to read as follows:

(a) A development corporation may issue bonds to refund *any of its valid* outstanding bonds, including *any bonds issued for unspecified projects and including any redemption premium on the bonds and interest accrued to the date of redemption, on a finding by the board of directors of the development corporation that there is a public benefit and a public purpose for the refunding.*

SECTION 3. EMERGENCY. 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 the Senate on May 12, 1993: Yeas 31, Nays 0; the Senate concurred in House amendment on May 25, 1993: Yeas 31, Nays 0; passed the House, with amendment, on May 22, 1993: Yeas 122, Nays 1, one present not voting.

Approved June 19, 1993.

Effective June 19, 1993.