

CHAPTER 239

H.B. No. 1003

AN ACT

relating to county liability for the actions of a member of the county hospital's board of managers.

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

SECTION 1. Article 4479, Revised Statutes, is amended to read as follows:

Art. 4479. When the Commissioners Court shall have acquired site for such hospital and shall have awarded contracts for the necessary buildings and improvements thereon,

it shall appoint not less than six (6) nor more than twelve (12) resident property taxpaying citizens of the county who shall constitute a board of managers of said hospital. Except for the term of an initial member, the term of office of each member of said board shall be two (2) years. The Commissioners Court may stagger the terms of members of the board so that as near as possible to one-half of the members' terms expire each year. The initial members of the board may be appointed for terms of less than two years if necessary to fix the scheme for the expiration of members' terms. In case of a tie vote of said board the deadlock may be voted off one way or the other by the county judge of the county. Appointments to fill vacancies occurring by death, resignation or other cause shall be made for the unexpired term. Failure of any manager to attend three (3) consecutive meetings of the board shall cause a vacancy in his office, unless said absence is excused by formal action of the board managers. The managers may receive compensation for their services to consist of such insurance plan as may be deemed necessary by the Commissioners Court to provide hospitalization insurance. The managers shall be allowed their actual and necessary traveling and other expenses within this state to be audited and paid by the Commissioners Court in the same manner as other expenses of the hospital. Any manager after being cited may at any time for cause be removed from office by said court. *A manager is a county officer for the purposes of Chapter 102, Civil Practice and Remedies Code.*

SECTION 2. This Act takes effect September 1, 1987, and applies to a cause of action that accrues on or after that date. A cause of action that accrued before the effective date is covered by the law in effect when the cause of action accrued, and that law is continued in effect for this purpose.

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.

Passed by the House on April 2, 1987, by a non-record vote. Passed by the Senate on May 14, 1987, by the following vote: Yeas 30, Nays 0.

Approved May 28, 1987.

Effective Sept. 1, 1987.