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AB-1095 Desert Healthcare District. (2019-2020)

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Assembly Bill No. 1095

CHAPTER 126

An act to amend Section 32499.2 of the Health and Safety Code, relating to health care districts.

[Approved by Governor July 30, 2019. Filed with Secretary of State July 30, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1095, Eduardo Garcia. Desert Healthcare District.

Existing law, the Local Health Care District Law, authorizes the organization and incorporation of local health care districts and specifies the powers of those districts, including, among other things, the power to establish, maintain, and operate, or provide assistance in the operation of, one or more health facilities or health services. Existing law authorizes the expansion of the Desert Healthcare District, as specified, and requires the board of directors of the district, following expansion, to adopt a resolution to increase the number of members of the district's board of directors from 5 to 7, and to appoint 2 members who are residents of the territory annexed by the district to fill the vacant positions. Existing law requires the board to designate 1 of those appointees to leave office when their successor takes office at noon on the first Friday in December next following the general district election and the other appointee to leave office 2 years thereafter.

This bill would instead require the board to designate 1 appointee to have an initial term of office from the date of appointment until the date in December described above that occurs in 2020 and the other appointee to have an initial term of office from the date of appointment until the date in December described above that occurs in 2022.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 32499.2 of the Health and Safety Code is amended to read:

32499.2. (a) Thirty days after the expansion of the district, and notwithstanding Sections 32100.01 and 32100.02, the Board of Directors of the Desert Healthcare District shall adopt a resolution to increase the number of members of its board of directors from five to seven without the necessity of a petition or approval thereof by voters residing within the district. The resolution shall become effective on the date of, and subject to any conditions specified in, the resolution.

(b) The additional vacancies created by the expansion shall be filled by appointment by the board of directors. A person appointed to fill a vacancy created by subdivision (a) shall be a registered voter and a resident of the territory annexed by the district pursuant to Section 32499.

(c) Upon appointment, the board shall, by lot, designate one member appointed pursuant to subdivision (b) to have an initial term of office from the date of appointment until the date described in Section 10554 of the Elections Code that occurs in 2020 and one

member appointed pursuant to subdivision (b) to have an initial term of office from the date of appointment until the date described in Section 10554 of the Elections Code that occurs in 2022.

(d) A vacancy in one or both of the board positions created by subdivision (a) after the first appointments to those positions pursuant to subdivision (b) shall be filled by the methods prescribed in Section 1780 of the Government Code, and, after January 1, 2020, shall be filled by the methods prescribed in Section 32499.3.

(e) This section shall only become operative if the Desert Healthcare District is expanded in accordance with Section 32499.