

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1219

By: Steidley

AS INTRODUCED

An Act relating to counties and county officers;
amending 19 O.S. 1991, Section 789, which relates
to county hospitals; removing certain duty to lease
hospital and equipment to certain charitable
nonprofit organizations; removing limitation on
authority to lease hospital and equipment; and
providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 19 O.S. 1991, Section 789, is
amended to read as follows:

Section 789. It shall be the duty of the board of county
commissioners to place the management and control of ~~said the~~ the
hospital either under a board of control composed of five, seven or
nine members, or to lease the hospital and equipment therein ~~to a~~
~~charitable nonprofit organization~~. Unless the hospital is to be
leased as hereinafter provided, the board of county commissioners
shall appoint the members of the board of control from the citizens-
at-large of the county, with reference to their fitness for such
office, all residents of the county, not more than three of ~~said the~~ the
board members to be residents of the city or town in which ~~said the~~ the

hospital is located. Members of the board of control shall hold office, as follows: Five-member board - one for one (1) year; two for two (2) years; and two for three (3) years. Seven-member board - two for one (1) year; two for two (2) years; and three for three (3) years. Nine-member board - three for one (1) year; three for two (2) years; and three for three (3) years. And each year as necessary the ~~said~~ county commissioners shall appoint successors to such members of the board of control whose terms have expired and such subsequent appointment shall be for a term of four (4) years. ~~Provided, however, that the~~ The board of county commissioners may at their discretion call an election for the purpose of determining ~~such the~~ successors with the cost of ~~said the~~ the election to be paid for by the county. Filings for ~~said the~~ the election shall be made with the county election board which shall conduct the election. No member of the board of control shall hold any state, county or city elective office. Members of the board of control shall receive no salary or compensation for their services, but may be reimbursed for any cash expenditures actually made for personal expenses incurred in the performance of duties upon presenting an itemized statement of such expenses duly verified, filed with the secretary, if every attending member of the board votes in the affirmative at any regular board meeting. Vacancies in the board of control occasioned by removal, resignation or otherwise shall be filled in like manner as original appointments, to hold office during the unexpired term for which such member was appointed. If the board of county commissioners determines it is for the best interest of the county, they may in lieu of operation of the hospital through a board of control lease the hospital and equipment therein ~~to a charitable nonprofit organization,~~ in such event the lessee shall be responsible for all costs of operation and maintenance; ~~provided, no hospital or equipment therein shall be leased other than to a public trust of which the county is beneficiary unless the specific leasing~~

~~be authorized by the voters of the county at a general election, or a special election called for such purpose, and approved by a majority vote of the electors voting on such proposition at any such election. Provided, further, a.~~ A charitable nonprofit corporation or public trust lessee is specifically authorized to mortgage, with appropriate remedies including right of foreclosure, its leasehold interest in the real and personal property comprising the hospital and equipment for the purpose of securing or refunding indebtedness incurred in connection with the related hospital or equipment.

SECTION 2. This act shall become effective November 1, 1997.

46-1-6033

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