

Regular Session, 2014

HOUSE BILL NO. 110

BY REPRESENTATIVE CONNICK

DISTRICTS/HOSPITAL SERVC: Requires voter approval of the lease of hospitals in Jefferson Parish hospital service districts unless all are leased to a single lessee

1 AN ACT

2 To amend and reenact R.S. 46:1064.2, relative to hospital service districts in Jefferson
3 Parish; to provide relative to the lease of a hospital owned by any such district; to
4 require voter approval of such leases; to provide for an exception with respect to
5 voter approval; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 46:1064.2 is hereby amended and reenacted to read as follows:

11 §1064.2. Hospital service districts in Jefferson Parish; sale or lease of hospitals

12 A.~~(+)~~ Notwithstanding any provisions of law to the contrary and except as
13 provided in Subsection D of this Section, the sale or lease of any hospital owned by
14 a hospital service district in Jefferson Parish shall be in accordance with the
15 provisions of this ~~Subsection~~ Section. The provisions of this ~~Subsection~~ Section
16 shall apply to the sale or lease of a hospital pursuant to authority granted by R.S.
17 33:4341 and any other authority granted by law.

18 ~~(2)~~B. The governing authority of the hospital service district shall submit a
19 proposition to approve the sale or lease of the hospital to the voters of the hospital
20 service district in an election held for that purpose.

1 ~~(3)C.~~ The hospital service district shall sell or lease the hospital only if the
2 proposed sale or lease is approved by a majority of the qualified electors of the
3 hospital service district voting on the proposition at an election held for that purpose
4 and conducted in accordance with the Louisiana Election Code.

5 ~~B. The provisions of R.S. 33:4341 shall not apply to the lease of a hospital~~
6 ~~by a hospital service district in Jefferson Parish, the governing authority of the~~
7 ~~district may, by its own action, approve the lease of a hospital.~~

8 D. The requirements of this Section and R.S. 33:4341 for voter approval of
9 a lease of a hospital are not applicable to a lease of all hospital service district
10 facilities in Jefferson Parish to a single lessee.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Connick

HB No. 110

Abstract: Requires voter approval of the lease of hospitals in Jefferson Parish hospital service districts unless all are leased to a single lessee.

Present law establishes the procedure for the sale of a hospital owned by a hospital service district in Jefferson Parish. Requires the governing authority of the hospital service district to submit a proposition to approve the sale of the hospital to the voters of the district. The sale of the hospital can only proceed if a majority of the voters of the district vote to approve the sale or lease. Proposed law retains present law.

Proposed law provides that the lease of a hospital is also subject to voter approval; however, provides that voter approval is not required if all of the hospital service district facilities in the parish are to be leased to a single lessee.

Present law (R.S. 33:4341) requires voter approval for the sale or lease of revenue-producing property by most local governments.

Present law provides that this requirement does not apply to the lease of a hospital by a hospital service district in Jefferson Parish. Specifically authorizes the governing authority of a district to approve such a lease by its own action. Proposed law deletes present law.

Proposed law provides that R.S. 33:4341 is not applicable to the lease of hospitals in Jefferson Parish only if all of the facilities in Jefferson Parish are to be leased to a single lessee.

(Amends R.S. 46:1064.2)