

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Hooper offered the following:

Amendment

Remove lines 434-482 and insert:

(b) Subsections (4)-(13) do not apply to:

1. A county, district, or municipal hospital that has executed a letter of intent to sell or lease the hospital accepted at a properly noticed public meeting and whose governing board has voted to approve the letter of intent before December 31, 2011, if the final closing of the sale or lease transaction pursuant to the letter of intent occurs before December 31, 2012.

2. A county, district or municipal hospital that is under lease as of the effective date of this act, as long as that lease remains in effect in accordance with the terms of the lease or if such lease is modified, extended, or renewed. This

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17 exemption includes any transaction, partnership, contract,
18 sublease, or assignment that is entered into pursuant to the
19 terms of a lease agreement in place before the effective date of
20 this act. However, any such hospital becomes subject to this
21 section upon:

22 a. Termination of the lease, unless the lease termination
23 is the direct result of a new lease involving a partnership,
24 transaction, or contract in which both the existing lessor and
25 lessee agree to the new lease between the lessor and another
26 mutually agreed upon entity;

27 b. Notification provided to the lessee of a planned
28 termination of the lease in accordance with the lease terms,
29 unless the notification of lease termination is the direct
30 result of a new lease involving a partnership, transaction, or
31 contract under which both the existing lessor and lessee agree
32 to the new lease between the lessor and another mutually agreed
33 upon entity;

34 c. Notification to the lessee that, upon termination of
35 the lease, the lessor plans to seek potential new lessees or
36 buyers; or

37 d. Notification to the lessee that, upon termination of
38 the lease, the lessor plans to resume operation of the hospital.

39 (c) Notwithstanding paragraph (b), a county, district, or
40 municipal hospital that has issued a request for proposals for
41 the sale or lease of a hospital on or before the effective date
42 of this act for purposes of receiving proposals from qualified
43 purchasers or lessees is not subject to subsections (4)-(13) for
44 the duration of the procurement process.

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45 (19) Upon the sale of a county, district, or municipal
46 hospital, any special district taxing authority associated with
47 the hospital ceases on the day following the next general
48 election unless:

49 (a) The special district owns other hospitals; or

50 (b) A majority of the voters in the special district, by
51 referendum, approve a continuation of the taxing authority, at a
52 substantially lower millage rate, as determined by the board of
53 the special district, than is levied at the closing date of the
54 sale. Such referendum shall be placed on the ballot at the next
55 general election.