An Act concerning public hospital boards of trustees, and, in connection therewith, eliminating the restriction that a board may not include more than four local residents and allowing a board to unilaterally acquire real or personal property by lease if the board has designated the public hospital as an enterprise.

Be it enacted by the General Assembly of the State of Colorado:

Section 1. In Colorado Revised Statutes, 25-3-302, amend (1) as follows:

25-3-302. Board of trustees. (1) If the board of county commissioners decides to create such a public hospital board of trustees, levy such an annual tax, and appropriate funds to purchase, erect, and maintain or turn over to the public hospital board of trustees control of such a county hospital, the board of county commissioners shall proceed at once to appoint to the public hospital board of trustees, for designated terms, a board of seven public hospital trustees chosen from the citizens at large with reference to their fitness for such office. All of whom shall be residents of the county, and none of whom shall be an elective or appointive state, county, or city official. Not more than four of said hospital trustees shall be residents of the city or town in which said hospital is to be located. Nothing in this article shall require that a licensed physician be appointed to the board of hospital trustees; however, if a licensed physician be appointed to the board of hospital trustees, membership on that board shall be limited to one licensed physician at any given time. The seven appointees shall constitute the public hospital board of trustees for said the public hospital. Such the public hospital board of trustees is a body corporate under the name "Board of Trustees for .............. Hospital", the name of the hospital being inserted in the blank.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.
SECTION 2. In Colorado Revised Statutes, 25-3-304, amend (1) as follows:

25-3-304. Trustees - powers and duties. (1) (a) The public hospital board of trustees shall make and adopt such bylaws, rules, and regulations for its own guidance and for the government of the hospital as it deems expedient for the economic and equitable conduct thereof, not inconsistent with state law or the ordinances of the city or town wherein such public hospital is located.

(b) The public hospital board shall have the exclusive control of:

(I) The use and expenditure of all moneys collected to the credit of the hospital, including the right to invest or have invested hospital moneys and funds held by the hospital or in the office of the county treasurer and to receive the interest and income therefrom;

(II) The purchase of sites;

(III) The purchase, construction, or enlargement of any hospital building; and

(IV) The supervision, care, and custody of any grounds, rooms, or buildings purchased, constructed, leased, or set apart for that purpose.

(c) Except as described in subsection (1)(d) of this section, a public hospital board of trustees may acquire by lease real and personal property subject to the approval of the board of county commissioners. All tax moneys received for hospital purposes shall be paid out of the county treasury only upon warrants drawn by the county commissioners upon sworn vouchers approved by the public hospital board of trustees. All other moneys received for such purposes shall be deposited in the treasury of the hospital and paid out only upon order of said public hospital board of trustees. If a public hospital board of trustees acquires and holds hospital property and facilities, including real and personal property, by conveyance or by conveyance on transfer of title, then title to all lands shall be in the name of the county. County hospitals situated in home rule counties shall have the additional borrowing authority as granted by section 30-35-201 (23)(b), C.R.S.

(d) A public hospital board of trustees that has elected to designate its public hospital as an enterprise for purposes of section 20 of article X of the state constitution, as described in subsection (3) of this section, is not required to obtain the approval of the board of county commissioners before acquiring real or personal property by lease.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of
this act within such period, then the act, item, section, or part will not take effect
unless approved by the people at the general election to be held in November 2020
and, in such case, will take effect on the date of the official declaration of the vote
thereon by the governor.

Approved: April 10, 2019