

1-1 By: Larson (Senate Sponsor - Lucio) H.B. No. 2803  
 1-2 (In the Senate - Received from the House April 24, 2017;  
 1-3 May 10, 2017, read first time and referred to Committee on  
 1-4 Intergovernmental Relations; May 17, 2017, reported favorably by  
 1-5 the following vote: Yeas 5, Nays 0; May 17, 2017, sent to  
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Lucio	X			
1-9 Bettencourt			X	
1-10 Campbell	X			
1-11 Garcia	X			
1-12 Huffines	X			
1-13 Menéndez			X	
1-14 Taylor of Collin	X			

1-16 A BILL TO BE ENTITLED  
 1-17 AN ACT

1-18 relating to the nonsubstantive revision of certain local laws  
 1-19 concerning water and wastewater special districts, including  
 1-20 conforming amendments.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 ARTICLE 1. NONSUBSTANTIVE REVISION OF LOCAL LAWS

1-23 SECTION 1.01. Subtitle A, Title 5, Special District Local  
 1-24 Laws Code, is amended by adding Chapters 5009 and 5013 to read as  
 1-25 follows:

1-26 CHAPTER 5009. GALVESTON COUNTY NAVIGATION DISTRICT NO. 1

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 5009.001. DEFINITIONS

1-29 Sec. 5009.002. NATURE OF DISTRICT

1-30 Sec. 5009.003. LEGISLATIVE FINDINGS

1-31 SUBCHAPTER B. POWERS AND DUTIES

1-32 Sec. 5009.051. LIMITATION ON POWERS AND DUTIES

1-33 SUBCHAPTER C. PROMOTION AND DEVELOPMENT FUND

1-34 Sec. 5009.101. ESTABLISHMENT OF FUND; DEPOSITS

1-35 Sec. 5009.102. USE OF FUND

1-36 Sec. 5009.103. CONTROL OF FUND

1-37 CHAPTER 5009. GALVESTON COUNTY NAVIGATION DISTRICT NO. 1

1-38 SUBCHAPTER A. GENERAL PROVISIONS

1-39 Sec. 5009.001. DEFINITIONS. In this chapter:

1-40 (1) "Commission" means the board of navigation and  
 1-41 canal commissioners of the district.

1-42 (2) "District" means the Galveston County Navigation  
 1-43 District No. 1.

1-44 (3) "Fund" means a promotion and development fund  
 1-45 created by the district. (New.)

1-46 Sec. 5009.002. NATURE OF DISTRICT. The district is created  
 1-47 under Section 59, Article XVI, Texas Constitution. (Acts 54th  
 1-48 Leg., R.S., Ch. 46, Sec. 4 (part).)

1-49 Sec. 5009.003. LEGISLATIVE FINDINGS. (a) All land and  
 1-50 other property in the district benefit from the creation of the  
 1-51 district, the carrying out of the purposes for which the district  
 1-52 was created, and the acquisition and construction of navigation  
 1-53 facilities and improvements to carry out those purposes.

1-54 (b) The district is necessary to carry out Section 59,  
 1-55 Article XVI, Texas Constitution. (Acts 54th Leg., R.S., Ch. 46,  
 1-56 Sec. 4 (part).)

1-57 SUBCHAPTER B. POWERS AND DUTIES

1-58 Sec. 5009.051. LIMITATION ON POWERS AND DUTIES.  
 1-59 Notwithstanding any other law, the district, the commission, or  
 1-60 officers of the district may not have any power or authority over  
 1-61 the appointment, remuneration, operations, or conduct of the branch

2-1 pilots of the Galveston Bar or the commission of pilots of the  
2-2 Galveston Bar. (Acts 54th Leg., R.S., Ch. 46, Sec. 4 (part).)

2-3 SUBCHAPTER C. PROMOTION AND DEVELOPMENT FUND

2-4 Sec. 5009.101. ESTABLISHMENT OF FUND; DEPOSITS. (a) The  
2-5 district may establish a promotion and development fund.

2-6 (b) The district, from time to time, may deposit in the fund  
2-7 a portion of the district's accumulated money, plus an amount each  
2-8 year not to exceed 10 percent of the district's total maintenance  
2-9 and operation taxes, including delinquent taxes, received during a  
2-10 fiscal year.

2-11 (c) The commission shall determine the amount to be  
2-12 deposited in the fund.

2-13 (d) The money in the fund shall be kept separate from other  
2-14 money and accounts of the district. (Acts 71st Leg., R.S., Ch.  
2-15 1168, Secs. 1, 3(a).)

2-16 Sec. 5009.102. USE OF FUND. The fund may be used only for:

2-17 (1) the purposes described by Section 60.203, Water  
2-18 Code;

2-19 (2) the public purposes of development and  
2-20 diversification of the district's economy; and

2-21 (3) joint projects with other political subdivisions  
2-22 or entities, including funding a program of an entity, to carry out  
2-23 the purposes of Subchapter H, Chapter 60, Water Code. (Acts 71st  
2-24 Leg., R.S., Ch. 1168, Sec. 2.)

2-25 Sec. 5009.103. CONTROL OF FUND. The fund is under the  
2-26 exclusive control of the commission, and the commission has full  
2-27 responsibility for auditing, approving, and safeguarding the  
2-28 expenditure of money from the fund. (Acts 71st Leg., R.S., Ch.  
2-29 1168, Sec. 3(b).)

2-30 CHAPTER 5013. PORT OF HARLINGEN AUTHORITY

2-31 Sec. 5013.001. DEFINITION

2-32 Sec. 5013.002. FORMER NAME OF AUTHORITY

2-33 Sec. 5013.003. GOVERNING BODY

2-34 CHAPTER 5013. PORT OF HARLINGEN AUTHORITY

2-35 Sec. 5013.001. DEFINITION. In this chapter, "authority"  
2-36 means the Port of Harlingen Authority. (Acts 68th Leg., R.S., Ch.  
2-37 21, Sec. 1(a); New.)

2-38 Sec. 5013.002. FORMER NAME OF AUTHORITY. Before April 13,  
2-39 1983, the authority was known as the Arroyo Colorado Navigation  
2-40 District of Cameron and Willacy Counties. (Acts 68th Leg., R.S.,  
2-41 Ch. 21, Sec. 1(a); New.)

2-42 Sec. 5013.003. GOVERNING BODY. The navigation and canal  
2-43 commission of the authority is called the port commission and is  
2-44 composed of port commissioners. (Acts 68th Leg., R.S., Ch. 21, Sec.  
2-45 1(b); New.)

2-46 SECTION 1.02. Subtitle B, Title 6, Special District Local  
2-47 Laws Code, is amended by adding Chapter 6913 to read as follows:

2-48 CHAPTER 6913. HASKELL COUNTY WATER SUPPLY DISTRICT

2-49 SUBCHAPTER A. GENERAL PROVISIONS

2-50 Sec. 6913.001. DEFINITIONS

2-51 Sec. 6913.002. NATURE OF DISTRICT

2-52 Sec. 6913.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

2-53 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATIONS TO DISTRICT  
2-54 TERRITORY

2-55 Sec. 6913.051. DISTRICT TERRITORY

2-56 Sec. 6913.052. ANNEXATION OF TERRITORY IN HASKELL  
2-57 COUNTY

2-58 Sec. 6913.053. PETITION FOR ANNEXATION; BOARD  
2-59 DETERMINATION AND RESOLUTION

2-60 Sec. 6913.054. COMMISSIONERS COURT RESOLUTION; SETTING  
2-61 ANNEXATION HEARING

2-62 Sec. 6913.055. NOTICE OF ANNEXATION HEARING

2-63 Sec. 6913.056. ANNEXATION HEARING

2-64 Sec. 6913.057. ANNEXATION FINDINGS AND RESOLUTION;  
2-65 ELECTION PROPOSITIONS

2-66 Sec. 6913.058. NOTICE OF ANNEXATION ELECTION

2-67 Sec. 6913.059. ANNEXATION ELECTION RESULTS

2-68 Sec. 6913.060. ASSUMPTION OF DEBT; TAXES

- 3-1 Sec. 6913.061. RESTRICTION ON ANNEXATION OF RAILROAD
- 3-2 RIGHT-OF-WAY OR UTILITY PROPERTY
- 3-3 SUBCHAPTER C. BOARD OF DIRECTORS
- 3-4 Sec. 6913.101. DIRECTORS
- 3-5 Sec. 6913.102. QUALIFICATIONS FOR OFFICE
- 3-6 Sec. 6913.103. NOTICE OF DIRECTORS' ELECTION
- 3-7 Sec. 6913.104. OFFICERS
- 3-8 Sec. 6913.105. VOTE BY BOARD PRESIDENT
- 3-9 Sec. 6913.106. ABSENCE OR INACTION OF BOARD PRESIDENT
- 3-10 Sec. 6913.107. DIRECTOR AND TREASURER BONDS
- 3-11 Sec. 6913.108. COMPENSATION OF DIRECTORS
- 3-12 SUBCHAPTER D. POWERS AND DUTIES
- 3-13 Sec. 6913.151. ACQUISITION OF WATER OR WATER RIGHTS
- 3-14 Sec. 6913.152. CONSTRUCTION OR ACQUISITION OF PROPERTY
- 3-15 Sec. 6913.153. EMINENT DOMAIN
- 3-16 Sec. 6913.154. COST OF RELOCATING OR ALTERING PROPERTY
- 3-17 Sec. 6913.155. CONSTRUCTION AND PURCHASING CONTRACTS
- 3-18 Sec. 6913.156. CONTRACTS RELATED TO WATER SUPPLY AND
- 3-19 FACILITIES
- 3-20 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS
- 3-21 Sec. 6913.201. DEPOSITORY
- 3-22 Sec. 6913.202. PROJECTS EXEMPT FROM ASSESSMENT OR
- 3-23 TAXATION
- 3-24 Sec. 6913.203. TAX ASSESSOR AND COLLECTOR
- 3-25 SUBCHAPTER F. BONDS
- 3-26 Sec. 6913.251. AUTHORITY TO ISSUE BONDS
- 3-27 Sec. 6913.252. FORM OF BONDS
- 3-28 Sec. 6913.253. MATURITY
- 3-29 Sec. 6913.254. BONDS PAYABLE FROM REVENUE
- 3-30 Sec. 6913.255. BONDS PAYABLE FROM AD VALOREM TAXES
- 3-31 Sec. 6913.256. ELECTION FOR BONDS PAYABLE FROM AD
- 3-32 VALOREM TAXES
- 3-33 Sec. 6913.257. TAX AND COMPENSATION RATES
- 3-34 Sec. 6913.258. ADDITIONAL SECURITY
- 3-35 Sec. 6913.259. USE OF BOND PROCEEDS
- 3-36 Sec. 6913.260. APPOINTMENT OF RECEIVER
- 3-37 Sec. 6913.261. REFUNDING BONDS
- 3-38 Sec. 6913.262. BONDS EXEMPT FROM TAXATION
- 3-39 CHAPTER 6913. HASKELL COUNTY WATER SUPPLY DISTRICT
- 3-40 SUBCHAPTER A. GENERAL PROVISIONS
- 3-41 Sec. 6913.001. DEFINITIONS. In this chapter:
- 3-42 (1) "Board" means the district's board of directors.
- 3-43 (2) "Commissioners court" means the Haskell County
- 3-44 Commissioners Court.
- 3-45 (3) "Director" means a board member.
- 3-46 (4) "District" means the Haskell County Water Supply
- 3-47 District. (Acts 54th Leg., R.S., Ch. 141, Sec. 1 (part); New.)
- 3-48 Sec. 6913.002. NATURE OF DISTRICT. The district is created
- 3-49 under Section 59, Article XVI, Texas Constitution. (Acts 54th
- 3-50 Leg., R.S., Ch. 141, Sec. 1 (part).)
- 3-51 Sec. 6913.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
- 3-52 All land in the district will benefit from the improvements to be
- 3-53 acquired and constructed by the district.
- 3-54 (b) Because the accomplishment of the purposes stated in
- 3-55 this chapter is for the benefit of the people of this state and for
- 3-56 the improvement of their property and industries, the district in
- 3-57 carrying out the purposes of this chapter performs an essential
- 3-58 public function under the Texas Constitution. (Acts 54th Leg.,
- 3-59 R.S., Ch. 141, Secs. 2 (part), 19 (part).)
- 3-60 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATIONS TO DISTRICT
- 3-61 TERRITORY
- 3-62 Sec. 6913.051. DISTRICT TERRITORY. The district is
- 3-63 composed of the territory described by Section 2, Chapter 141, Acts
- 3-64 of the 54th Legislature, Regular Session, 1955, as that territory
- 3-65 may have been modified under:
- 3-66 (1) Subchapter J, Chapter 49, Water Code;
- 3-67 (2) this subchapter or its predecessor statute, former
- 3-68 Section 5, Chapter 141, Acts of the 54th Legislature, Regular
- 3-69 Session, 1955; or

4-1 (3) other law. (Acts 54th Leg., R.S., Ch. 141, Sec. 2  
4-2 (part); New.)  
4-3 Sec. 6913.052. ANNEXATION OF TERRITORY IN HASKELL COUNTY.  
4-4 Territory in Haskell County, whether the territory is contiguous to  
4-5 the district or not, may be annexed to the district as provided by  
4-6 this subchapter. (Acts 54th Leg., R.S., Ch. 141, Sec. 5 (part).)  
4-7 Sec. 6913.053. PETITION FOR ANNEXATION; BOARD  
4-8 DETERMINATION AND RESOLUTION. (a) Territory may be annexed to the  
4-9 district under this subchapter if a petition requesting annexation  
4-10 is filed with the board.  
4-11 (b) The petition must:  
4-12 (1) be signed by:  
4-13 (A) 50 registered voters of the territory  
4-14 proposed to be annexed who own taxable property in that territory;  
4-15 or  
4-16 (B) a majority of the registered voters of that  
4-17 territory who own taxable property in that territory; and  
4-18 (2) describe the territory proposed to be annexed by  
4-19 metes and bounds.  
4-20 (c) If the board determines that the petition complies with  
4-21 Subsection (b), that the annexation would be in the district's  
4-22 interest, and that the district will be able to supply water to the  
4-23 proposed territory, the board shall:  
4-24 (1) adopt a resolution requesting that the  
4-25 commissioners court annex the territory to the district and stating  
4-26 any conditions for annexation of the territory; and  
4-27 (2) deliver a certified copy of the resolution and of  
4-28 the petition to the commissioners court. (Acts 54th Leg., R.S., Ch.  
4-29 141, Secs. 5(a), (b).)  
4-30 Sec. 6913.054. COMMISSIONERS COURT RESOLUTION; SETTING  
4-31 ANNEXATION HEARING. On receipt of a board resolution and petition  
4-32 under this subchapter, the commissioners court shall:  
4-33 (1) adopt a resolution that declares the court's  
4-34 intention to call an election in the proposed territory on the  
4-35 proposition of whether to annex the territory to the district; and  
4-36 (2) set a time and place to hold a hearing on the  
4-37 question of whether the proposed territory will benefit from the  
4-38 improvements, works, and facilities then owned or operated or  
4-39 contemplated to be owned or operated by the district. (Acts 54th  
4-40 Leg., R.S., Ch. 141, Sec. 5(c).)  
4-41 Sec. 6913.055. NOTICE OF ANNEXATION HEARING. (a) Not later  
4-42 than the 10th day before the date of the annexation hearing, notice  
4-43 of the resolution adopted under Section 6913.054 shall be published  
4-44 one time in a newspaper designated by the commissioners court,  
4-45 except as provided by Subsection (c).  
4-46 (b) The notice must:  
4-47 (1) be addressed to the citizens and owners of  
4-48 property in the proposed territory;  
4-49 (2) state the time and place of the annexation  
4-50 hearing; and  
4-51 (3) describe the proposed territory in the same manner  
4-52 as Section 6913.053(b) requires.  
4-53 (c) If a newspaper is not published in the proposed  
4-54 territory, the notice shall be posted in three public places in the  
4-55 proposed territory. (Acts 54th Leg., R.S., Ch. 141, Secs. 5(d),  
4-56 (k).)  
4-57 Sec. 6913.056. ANNEXATION HEARING. (a) The annexation  
4-58 hearing may proceed in the order and under the rules prescribed by  
4-59 the commissioners court, and the court may recess the hearing.  
4-60 (b) Any interested person may appear at the annexation  
4-61 hearing and offer evidence for or against the proposed annexation.  
4-62 (Acts 54th Leg., R.S., Ch. 141, Sec. 5(e) (part).)  
4-63 Sec. 6913.057. ANNEXATION FINDINGS AND RESOLUTION;  
4-64 ELECTION PROPOSITIONS. (a) At the conclusion of the annexation  
4-65 hearing, if the commissioners court finds that all the proposed  
4-66 territory will benefit from the present or contemplated  
4-67 improvements, works, or facilities of the district, the  
4-68 commissioners court shall adopt a resolution that:  
4-69 (1) calls an election in the proposed territory; and

5-1 (2) states the date of the election and the place or  
5-2 places of holding the election.

5-3 (b) In calling an election on the proposition for annexation  
5-4 of the proposed territory, the commissioners court may include in  
5-5 the same proposition a proposition for:

5-6 (1) the territory to assume its part of the  
5-7 tax-supported bonds of the district then outstanding and those  
5-8 bonds previously voted but not yet sold; and

5-9 (2) an ad valorem tax to be imposed on taxable property  
5-10 in the territory along with the tax in the rest of the district for  
5-11 the payment of the bonds. (Acts 54th Leg., R.S., Ch. 141, Secs.  
5-12 5(e) (part), (i).)

5-13 Sec. 6913.058. NOTICE OF ANNEXATION ELECTION. (a) Not  
5-14 later than the 10th day before the date set for the election, notice  
5-15 of the election shall be published one time in a newspaper  
5-16 designated by the commissioners court, except as provided by  
5-17 Subsection (c).

5-18 (b) In addition to the requirements of Section 4.004,  
5-19 Election Code, notice of the annexation election must:

5-20 (1) state the conditions under which the proposed  
5-21 territory may be annexed; or

5-22 (2) refer to the resolution of the board for that  
5-23 purpose.

5-24 (c) If a newspaper is not published in the proposed  
5-25 territory, the notice shall be posted in three public places in the  
5-26 territory. (Acts 54th Leg., R.S., Ch. 141, Secs. 5(f) (part), (k).)

5-27 Sec. 6913.059. ANNEXATION ELECTION RESULTS. (a) The  
5-28 commissioners court shall issue an order declaring the results of  
5-29 the annexation election.

5-30 (b) If the order shows that a majority of the votes cast are  
5-31 in favor of annexation, the commissioners court shall annex the  
5-32 proposed territory to the district. The annexation is  
5-33 incontestable except in the time for contesting elections under the  
5-34 Election Code.

5-35 (c) A certified copy of the order shall be recorded in the  
5-36 deed records of Haskell County. (Acts 54th Leg., R.S., Ch. 141,  
5-37 Sec. 5(h) (part).)

5-38 Sec. 6913.060. ASSUMPTION OF DEBT; TAXES. (a) After  
5-39 territory is annexed to the district, the board may order an  
5-40 election in the district as enlarged to determine whether the  
5-41 district as enlarged shall assume any tax-supported bonds then  
5-42 outstanding and those previously voted but not yet sold and impose  
5-43 an ad valorem tax on all taxable property in the district as  
5-44 enlarged to pay the bonds, unless the proposition is voted along  
5-45 with the annexation election and becomes binding on the territory  
5-46 annexed.

5-47 (b) An election ordered under Subsection (a) shall be held  
5-48 in the same manner as an election under this chapter for the  
5-49 issuance of bonds. (Acts 54th Leg., R.S., Ch. 141, Sec. 5(j).)

5-50 Sec. 6913.061. RESTRICTION ON ANNEXATION OF RAILROAD  
5-51 RIGHT-OF-WAY OR UTILITY PROPERTY. A railroad right-of-way or a  
5-52 transmission line or another item of property of an electric or gas  
5-53 utility that is not located inside the limits of a municipality will  
5-54 not benefit from improvements, works, or facilities the district is  
5-55 authorized to construct. Therefore, a railroad right-of-way or a  
5-56 transmission line or another item of property of an electric or gas  
5-57 utility may not be annexed to the district unless the right-of-way  
5-58 or property is located inside the limits of a municipality annexed  
5-59 to the district. (Acts 54th Leg., R.S., Ch. 141, Sec. 5(e) (part).)

5-60 SUBCHAPTER C. BOARD OF DIRECTORS

5-61 Sec. 6913.101. DIRECTORS. The district is governed by a  
5-62 board of five elected directors. (Acts 54th Leg., R.S., Ch. 141,  
5-63 Secs. 3(a) (part), (c) (part).)

5-64 Sec. 6913.102. QUALIFICATIONS FOR OFFICE. (a) A person may  
5-65 not be appointed a director unless the person resides in and owns  
5-66 taxable property in the district.

5-67 (b) A member of a municipality's governing body or an  
5-68 employee of a municipality may not be a director. (Acts 54th Leg.,  
5-69 R.S., Ch. 141, Sec. 3(a) (part).)

6-1           Sec. 6913.103. NOTICE OF DIRECTORS' ELECTION. Notice of a  
6-2 directors' election shall be published once in a newspaper  
6-3 published in Haskell County not later than the 10th day before the  
6-4 date of the election. (Acts 54th Leg., R.S., Ch. 141, Secs. 3(b)  
6-5 (part), (c) (part).)

6-6           Sec. 6913.104. OFFICERS. (a) The board shall elect from  
6-7 the board's membership a president, a vice president, and any other  
6-8 officers that the board determines are necessary.

6-9           (b) The board shall appoint a secretary and a treasurer, who  
6-10 are not required to be directors. The board may combine the offices  
6-11 of secretary and treasurer. (Acts 54th Leg., R.S., Ch. 141, Sec. 4  
6-12 (part).)

6-13           Sec. 6913.105. VOTE BY BOARD PRESIDENT. The president has  
6-14 the same right to vote as any other director. (Acts 54th Leg.,  
6-15 R.S., Ch. 141, Sec. 4 (part).)

6-16           Sec. 6913.106. ABSENCE OR INACTION OF BOARD PRESIDENT.  
6-17 When the board president is absent or fails or declines to act, the  
6-18 board vice president shall perform all duties and exercise all  
6-19 powers this chapter gives the president. (Acts 54th Leg., R.S.,  
6-20 Ch. 141, Sec. 4 (part).)

6-21           Sec. 6913.107. DIRECTOR AND TREASURER BONDS. (a) Each  
6-22 director shall give bond in the amount of \$5,000 conditioned on the  
6-23 faithful performance of the director's duties.

6-24           (b) The treasurer shall give bond in the amount required by  
6-25 the board. The treasurer's bond shall be conditioned on the  
6-26 treasurer's faithful accounting for all money that comes into the  
6-27 treasurer's custody as treasurer of the district. (Acts 54th Leg.,  
6-28 R.S., Ch. 141, Secs. 3(a) (part), 4 (part).)

6-29           Sec. 6913.108. COMPENSATION OF DIRECTORS. (a) Each  
6-30 director:

6-31           (1) shall receive a fee not to exceed \$5 for attending  
6-32 each board meeting; and

6-33           (2) is also entitled to receive \$5 for each day devoted  
6-34 to the business of the district if the service is expressly approved  
6-35 by the board.

6-36           (b) In all areas of conflict with Subsection (a) of this  
6-37 section, Section 49.060, Water Code, takes precedence.

6-38           (c) A director's compensation may be increased as  
6-39 authorized by Section 49.060, Water Code, by resolution adopted by  
6-40 the board in accordance with Subsection (e) of that section on or  
6-41 after September 1, 1995. (Acts 54th Leg., R.S., Ch. 141, Sec. 3(e)  
6-42 (part); New.)

#### 6-43           SUBCHAPTER D. POWERS AND DUTIES

6-44           Sec. 6913.151. ACQUISITION OF WATER OR WATER RIGHTS. (a)  
6-45 The district may acquire a groundwater or surface water supply.

6-46           (b) The district may acquire water appropriation permits  
6-47 directly from the Texas Commission on Environmental Quality or from  
6-48 permit owners.

6-49           (c) The district may purchase water or a water supply from  
6-50 any person. (Acts 54th Leg., R.S., Ch. 141, Secs. 6 (part); 16.)

6-51           Sec. 6913.152. CONSTRUCTION OR ACQUISITION OF PROPERTY.  
6-52 The district may construct or otherwise acquire all works, plants,  
6-53 and other facilities necessary or useful for the purpose of  
6-54 processing groundwater or surface water and transporting the water  
6-55 to any person for municipal, domestic, and industrial purposes.  
6-56 (Acts 54th Leg., R.S., Ch. 141, Sec. 6 (part).)

6-57           Sec. 6913.153. EMINENT DOMAIN. (a) To carry out a power  
6-58 provided by this chapter, the district may exercise the power of  
6-59 eminent domain to acquire land and easements inside or outside the  
6-60 district in Haskell County.

6-61           (b) The district must exercise the power of eminent domain  
6-62 in the manner provided by Chapter 21, Property Code.

6-63           (c) The board shall determine the amount and the type of  
6-64 interest in land and easements to be acquired under this section.

6-65           (d) The district's authority under this section to exercise  
6-66 the power of eminent domain expired on September 1, 2013, unless the  
6-67 district submitted a letter to the comptroller in accordance with  
6-68 Section 2206.101(b), Government Code, not later than December 31,  
6-69 2012. (Acts 54th Leg., R.S., Ch. 141, Sec. 7 (part); New.)

7-1           Sec. 6913.154. COST OF RELOCATING OR ALTERING PROPERTY. If  
 7-2 the district's exercise of the power of eminent domain, the power of  
 7-3 relocation, or any other power granted by this chapter makes  
 7-4 necessary relocating, raising, rerouting, changing the grade of, or  
 7-5 altering the construction of a highway, railroad, electric  
 7-6 transmission line, telephone or telegraph property or facility, or  
 7-7 pipeline, the necessary action shall be accomplished at the sole  
 7-8 expense of the district. (Acts 54th Leg., R.S., Ch. 141, Sec. 7  
 7-9 (part).)

7-10           Sec. 6913.155. CONSTRUCTION AND PURCHASING CONTRACTS. A  
 7-11 construction contract or contract for the purchase of materials,  
 7-12 equipment, or supplies is governed by Chapter 49 or 51, Water Code.  
 7-13 (Acts 54th Leg., R.S., Ch. 141, Sec. 8.)

7-14           Sec. 6913.156. CONTRACTS RELATED TO WATER SUPPLY AND  
 7-15 FACILITIES. (a) The district may contract with any person to  
 7-16 supply water to the person.

7-17           (b) The district may contract with a municipality for the  
 7-18 rental or leasing of or for the operation of the municipality's  
 7-19 water production, supply, or distribution facilities.

7-20           (c) The contract may provide that the contract continues in  
 7-21 effect until bonds specified in the contract and refunding bonds  
 7-22 issued in lieu of the bonds are paid. (Acts 54th Leg., R.S., Ch.  
 7-23 141, Sec. 14.)

7-24           SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

7-25           Sec. 6913.201. DEPOSITORY. (a) Except as provided by  
 7-26 Subsection (i), the board shall designate one or more banks in  
 7-27 Haskell County to serve as depository for the district's money.

7-28           (b) District money shall be deposited with a designated  
 7-29 depository bank or banks, except that:

7-30           (1) money pledged to pay bonds may be deposited with  
 7-31 the trustee bank named in the trust agreement; and

7-32           (2) money shall be remitted to the bank of payment for  
 7-33 the payment of principal of and interest on bonds.

7-34           (c) To the extent that money in a depository bank or a  
 7-35 trustee bank is not insured by the Federal Deposit Insurance  
 7-36 Corporation, the money must be secured in the manner provided by law  
 7-37 for the security of county funds.

7-38           (d) The board shall prescribe the terms of service for  
 7-39 depositories.

7-40           (e) Before designating a depository bank, the board shall  
 7-41 issue a notice to each bank in Haskell County that:

7-42           (1) states the time and place at which the board will  
 7-43 meet to designate a depository bank or banks; and

7-44           (2) invites the banks to submit an application to be  
 7-45 designated as a depository.

7-46           (f) The notice described by Subsection (e) must be mailed or  
 7-47 delivered not later than the 10th day before the date fixed for the  
 7-48 submission of applications.

7-49           (g) At the time stated in the notice, the board shall:

7-50           (1) consider the application and the management and  
 7-51 condition of each bank that applies; and

7-52           (2) designate as a depository the bank or banks that:

7-53           (A) offer the most favorable terms for handling  
 7-54 the money; and

7-55           (B) the board finds have proper management and  
 7-56 are in condition to handle the money.

7-57           (h) Membership on the board of an officer or director of a  
 7-58 bank does not disqualify the bank from being designated as a  
 7-59 depository.

7-60           (i) If the board does not receive any applications before  
 7-61 the time stated in the notice, or if the board rejects all  
 7-62 applications, the board shall designate one or more banks located  
 7-63 inside or outside the county on terms that the board finds  
 7-64 advantageous to the district. (Acts 54th Leg., R.S., Ch. 141, Sec.  
 7-65 15.)

7-66           Sec. 6913.202. PROJECTS EXEMPT FROM ASSESSMENT OR TAXATION.  
 7-67 The district is not required to pay a tax or assessment on a project  
 7-68 or any part of a project. (Acts 54th Leg., R.S., Ch. 141, Sec. 19  
 7-69 (part).)



9-1 payment of principal and interest to the extent and in the manner  
9-2 permitted by the resolution authorizing the issuance of the bonds.

9-3 (b) If the district issues bonds payable wholly or partly  
9-4 from revenue, the board shall set and revise the rates of  
9-5 compensation for water sold and services rendered by the district.

9-6 (c) For bonds payable wholly from revenue, the rates of  
9-7 compensation must be sufficient to:

9-8 (1) pay the expense of operating and maintaining the  
9-9 facilities of the district;

9-10 (2) pay the bonds as they mature and the interest as it  
9-11 accrues; and

9-12 (3) maintain the reserve and other funds as provided  
9-13 by the resolution authorizing the issuance of the bonds.

9-14 (d) For bonds payable partly from revenue, the rates of  
9-15 compensation must be sufficient to assure compliance with the  
9-16 resolution authorizing the issuance of the bonds. (Acts 54th Leg.,  
9-17 R.S., Ch. 141, Secs. 9(e) (part), (f).)

9-18 Sec. 6913.258. ADDITIONAL SECURITY. (a) District bonds,  
9-19 including refunding bonds, that are not payable wholly from ad  
9-20 valorem taxes may be additionally secured by a deed of trust lien on  
9-21 physical property of the district and all franchises, easements,  
9-22 water rights and appropriation permits, leases, contracts, and all  
9-23 rights appurtenant to the property, vesting in the trustee power  
9-24 to:

9-25 (1) sell the property for payment of the debt;

9-26 (2) operate the property; and

9-27 (3) take other action to further secure the bonds.

9-28 (b) The deed of trust may:

9-29 (1) contain any provision the board prescribes to  
9-30 secure the bonds and preserve the trust estate;

9-31 (2) provide for amendment or modification of the deed  
9-32 of trust; and

9-33 (3) provide for the issuance of bonds to replace lost  
9-34 or mutilated bonds.

9-35 (c) A purchaser under a sale under the deed of trust is:

9-36 (1) the owner of the dam or dams and the other property  
9-37 and facilities purchased; and

9-38 (2) entitled to maintain and operate the property and  
9-39 facilities. (Acts 54th Leg., R.S., Ch. 141, Sec. 11.)

9-40 Sec. 6913.259. USE OF BOND PROCEEDS. (a) The district may  
9-41 set aside an amount of proceeds from the sale of district bonds for  
9-42 the payment of interest expected to accrue during construction and  
9-43 for one year after construction in a reserve interest and sinking  
9-44 fund. The resolution authorizing the bonds may provide for setting  
9-45 aside and using the proceeds as provided by this subsection.

9-46 (b) The district may use proceeds from the sale of the bonds  
9-47 to pay any expense necessarily incurred in accomplishing the  
9-48 purposes of the district. (Acts 54th Leg., R.S., Ch. 141, Sec.  
9-49 9(g).)

9-50 Sec. 6913.260. APPOINTMENT OF RECEIVER. (a) On default or  
9-51 threatened default in the payment of principal of or interest on  
9-52 district bonds that are payable wholly or partly from revenue, a  
9-53 court may appoint a receiver for the district on petition of the  
9-54 holders of 25 percent of the outstanding bonds of the issue in  
9-55 default or threatened with default.

9-56 (b) The receiver may collect and receive all district income  
9-57 except taxes, employ and discharge district agents and employees,  
9-58 take charge of money on hand, except money received from taxes  
9-59 unless commingled, and manage the district's proprietary affairs  
9-60 without the consent of or hindrance by the board.

9-61 (c) The receiver may be authorized to sell or contract for  
9-62 the sale of water or to renew those contracts with the approval of  
9-63 the court that appointed the receiver.

9-64 (d) The court may vest the receiver with any other power or  
9-65 duty the court finds necessary to protect the bondholders. (Acts  
9-66 54th Leg., R.S., Ch. 141, Sec. 9(h).)

9-67 Sec. 6913.261. REFUNDING BONDS. (a) The district may issue  
9-68 refunding bonds to refund outstanding district bonds and interest  
9-69 on those bonds.

10-1 (b) Refunding bonds may:

10-2 (1) be issued to refund bonds of more than one series;

10-3 (2) combine the pledges for the outstanding bonds for

10-4 the security of the refunding bonds; or

10-5 (3) be secured by a pledge of other or additional

10-6 revenue.

10-7 (c) The provisions of this subchapter regarding the

10-8 issuance of other bonds and the remedies of the holders apply to

10-9 refunding bonds.

10-10 (d) The comptroller shall register the refunding bonds on

10-11 surrender and cancellation of the bonds to be refunded.

10-12 (e) Instead of issuing bonds to be registered on the

10-13 surrender and cancellation of the bonds to be refunded, the

10-14 district, in the resolution authorizing the issuance of the

10-15 refunding bonds, may provide for the sale of the refunding bonds and

10-16 the deposit of the proceeds in a bank at which the bonds to be

10-17 refunded are payable. In that case, the refunding bonds may be

10-18 issued in an amount sufficient to pay the interest on the bonds to

10-19 be refunded to their option date or maturity date, and the

10-20 comptroller shall register the refunding bonds without the

10-21 surrender and cancellation of the bonds to be refunded. (Acts 54th

10-22 Leg., R.S., Ch. 141, Sec. 10.)

10-23 Sec. 6913.262. BONDS EXEMPT FROM TAXATION. District bonds,

10-24 the transfer of district bonds, and income from district bonds,

10-25 including profits made on the sale of district bonds, are exempt

10-26 from taxation in this state. (Acts 54th Leg., R.S., Ch. 141, Sec.

10-27 19 (part).)

10-28 SECTION 1.03. Subtitle E, Title 6, Special District Local

10-29 Laws Code, is amended by adding Chapter 7811 to read as follows:

10-30 CHAPTER 7811. DALLAS COUNTY FLOOD CONTROL DISTRICT NO. 1

10-31 SUBCHAPTER A. GENERAL PROVISIONS

10-32 Sec. 7811.001. DEFINITIONS

10-33 Sec. 7811.002. NATURE OF DISTRICT

10-34 Sec. 7811.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

10-35 Sec. 7811.004. DISTRICT TERRITORY

10-36 Sec. 7811.005. ANNEXATION OF LAND

10-37 SUBCHAPTER B. BOARD OF DIRECTORS

10-38 Sec. 7811.051. COMPOSITION OF BOARD; TERMS

10-39 Sec. 7811.052. ELIGIBILITY FOR OFFICE

10-40 Sec. 7811.053. DIRECTOR'S BOND

10-41 Sec. 7811.054. BOARD VACANCY

10-42 Sec. 7811.055. BOARD PRESIDENT; ABSENCE OF BOARD

10-43 PRESIDENT

10-44 Sec. 7811.056. SECRETARY'S DUTIES

10-45 Sec. 7811.057. TREASURER

10-46 Sec. 7811.058. COMPENSATION OF DIRECTORS

10-47 Sec. 7811.059. VOTE REQUIRED FOR OFFICIAL BOARD ACTION

10-48 Sec. 7811.060. DESIGNATION OF DIRECTOR TO ACT ON

10-49 DISTRICT'S BEHALF

10-50 Sec. 7811.061. DISTRICT OFFICE

10-51 Sec. 7811.062. RECORDS

10-52 SUBCHAPTER C. POWERS AND DUTIES

10-53 Sec. 7811.101. GENERAL POWERS AND DUTIES

10-54 Sec. 7811.102. EMINENT DOMAIN

10-55 Sec. 7811.103. COST OF RELOCATING OR ALTERING PROPERTY

10-56 Sec. 7811.104. CONTRACTS FOR FACILITIES AND

10-57 IMPROVEMENTS; ELECTION NOT REQUIRED

10-58 Sec. 7811.105. PROHIBITED FUNCTIONS

10-59 Sec. 7811.106. STANDARDS FOR ROAD, STREET, OR UTILITY

10-60 CONSTRUCTION

10-61 Sec. 7811.107. APPROVAL OF RECLAMATION PLAN,

10-62 AMENDMENT, OR PROJECT

10-63 SUBCHAPTER D. TAX ABATEMENT IN REINVESTMENT ZONE

10-64 Sec. 7811.151. DESIGNATION OF REINVESTMENT ZONE

10-65 Sec. 7811.152. CRITERIA FOR REINVESTMENT ZONE

10-66 Sec. 7811.153. EXPIRATION OF REINVESTMENT ZONE

10-67 Sec. 7811.154. TAX ABATEMENT AGREEMENT

10-68 Sec. 7811.155. TAX ABATEMENT AGREEMENT: CERTIFICATED

10-69 AIR CARRIER

11-1 Sec. 7811.156. TAX ABATEMENT AGREEMENT REQUIREMENTS  
11-2 Sec. 7811.157. NOTICE OF TAX ABATEMENT AGREEMENT TO  
11-3 OTHER TAXING UNITS  
11-4 Sec. 7811.158. MODIFICATION OR TERMINATION OF TAX  
11-5 ABATEMENT AGREEMENT  
11-6 Sec. 7811.159. REGISTRY OF REINVESTMENT ZONES AND TAX  
11-7 ABATEMENT AGREEMENTS; ASSISTANCE TO  
11-8 DISTRICT  
11-9 Sec. 7811.160. PROPERTIES THAT MAY BE INCLUDED IN TAX  
11-10 ABATEMENT AGREEMENT  
11-11 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
11-12 Sec. 7811.201. DEPOSITORY  
11-13 Sec. 7811.202. AUTHORITY TO ISSUE BONDS AND INCUR  
11-14 INDEBTEDNESS  
11-15 Sec. 7811.203. CONSTITUENT MUNICIPALITIES NOT  
11-16 OBLIGATED TO PAY DISTRICT OBLIGATIONS  
11-17 Sec. 7811.204. BOND ANTICIPATION NOTES  
11-18 Sec. 7811.205. PREVIOUSLY AUTHORIZED MAINTENANCE TAXES  
11-19 CHAPTER 7811. DALLAS COUNTY FLOOD CONTROL DISTRICT NO. 1  
11-20 SUBCHAPTER A. GENERAL PROVISIONS  
11-21 Sec. 7811.001. DEFINITIONS. In this chapter:  
11-22 (1) "Board" means the district's board of directors.  
11-23 (2) "Constituent municipality" means the City of Grand  
11-24 Prairie or the City of Irving.  
11-25 (3) "Director" means a member of the board.  
11-26 (4) "District" means the Dallas County Flood Control  
11-27 District No. 1. (Acts 68th Leg., R.S., Ch. 1081, Secs. 1(b) (part),  
11-28 (c), 2(a) (part); New.)  
11-29 Sec. 7811.002. NATURE OF DISTRICT. The district is a  
11-30 conservation and reclamation district established under Section  
11-31 59, Article XVI, Texas Constitution. (Acts 68th Leg., R.S., Ch.  
11-32 1081, Secs. 1(a), (b) (part).)  
11-33 Sec. 7811.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
11-34 The district is created to serve a public use and benefit.  
11-35 (b) The land and other property included in the district  
11-36 will benefit from the works and projects accomplished by the  
11-37 district and by the powers conferred by Section 59, Article XVI,  
11-38 Texas Constitution.  
11-39 (c) The creation and operation of the district is essential  
11-40 to accomplish the purpose of Section 59, Article XVI, Texas  
11-41 Constitution. (Acts 68th Leg., R.S., Ch. 1081, Secs. 8, 14.)  
11-42 Sec. 7811.004. DISTRICT TERRITORY. (a) The district is  
11-43 composed of the territory located within the redefined boundaries  
11-44 of the district as filed in the deed records of Dallas County,  
11-45 Texas, on August 29, 1983, as amended by Sections 2(b) and (d),  
11-46 Chapter 1081, Acts of the 68th Legislature, Regular Session, 1983,  
11-47 as that territory may have been modified under:  
11-48 (1) Section 7811.005 of this chapter or its  
11-49 predecessor statute, former Section 13, Chapter 1081, Acts of the  
11-50 68th Legislature, Regular Session, 1983;  
11-51 (2) Subchapter J, Chapter 49, Water Code; or  
11-52 (3) other law.  
11-53 (b) The boundaries and field notes of the district form a  
11-54 closure. A mistake in the field notes or in copying the field notes  
11-55 in the legislative process does not affect:  
11-56 (1) the district's organization, existence, or  
11-57 validity;  
11-58 (2) the district's right to issue any type of bond for  
11-59 a purpose for which the district is created or to pay the principal  
11-60 of and interest on the bond;  
11-61 (3) the district's right to impose a tax; or  
11-62 (4) the legal operation of the district or its  
11-63 governing body. (Acts 68th Leg., R.S., Ch. 1081, Secs. 2(a) (part),  
11-64 (b), (c), (d); New.)  
11-65 Sec. 7811.005. ANNEXATION OF LAND. Before the annexation  
11-66 of land within the corporate limits of a constituent municipality,  
11-67 the district must obtain the approval of the municipality. (Acts  
11-68 68th Leg., R.S., Ch. 1081, Sec. 13 (part).)  
11-

## SUBCHAPTER B. BOARD OF DIRECTORS

12-1                   Sec. 7811.051. COMPOSITION OF BOARD; TERMS. (a) The  
12-2 district is governed by a board consisting of five appointed  
12-3 directors. The City of Irving appoints three directors and the City  
12-4 of Grand Prairie appoints two directors.

12-5                   (b) Directors serve two-year terms. (Acts 68th Leg., R.S.,  
12-6 Ch. 1081, Sec. 3(a).)

12-7                   Sec. 7811.052. ELIGIBILITY FOR OFFICE. A director must own  
12-8 land in the district subject to taxation at the time the director  
12-9 qualifies for office. (Acts 68th Leg., R.S., Ch. 1081, Sec. 3(c)  
12-10 (part).)

12-11                  Sec. 7811.053. DIRECTOR'S BOND. (a) A director shall  
12-12 execute a bond in the amount of \$5,000 for the faithful performance  
12-13 of the director's duties.

12-14                  (b) The bond must be filed in the office of the county clerk  
12-15 of Dallas County. (Acts 68th Leg., R.S., Ch. 1081, Sec. 3(c)  
12-16 (part).)

12-17                  Sec. 7811.054. BOARD VACANCY. (a) If a director dies,  
12-18 resigns, or ceases to possess the qualifications required for  
12-19 office, the board shall declare the person's office vacant.

12-20                  (b) The constituent municipality that appointed the  
12-21 director whose position is vacant shall appoint a successor to fill  
12-22 the unexpired term. (Acts 68th Leg., R.S., Ch. 1081, Sec. 3(b).)

12-23                  Sec. 7811.055. BOARD PRESIDENT; ABSENCE OF BOARD PRESIDENT.  
12-24 (a) The board may authorize the board's president to sign all orders  
12-25 or take other action.

12-26                  (b) Any order adopted or action taken at a board meeting at  
12-27 which the board's president is absent may be signed by the board's  
12-28 vice president, or the board may authorize the president to sign the  
12-29 order or action at a later time. (Acts 68th Leg., R.S., Ch. 1081,  
12-30 Secs. 3(f) (part), (g).)

12-31                  Sec. 7811.056. SECRETARY'S DUTIES. The board secretary  
12-32 shall keep accurate minutes and shall certify any action taken by  
12-33 the board. (Acts 68th Leg., R.S., Ch. 1081, Sec. 3(h).)

12-34                  Sec. 7811.057. TREASURER. (a) The board may appoint a  
12-35 district treasurer.

12-36                  (b) The district treasurer shall execute a bond in an amount  
12-37 determined by the board payable to the district and conditioned on  
12-38 the faithful performance of the treasurer's duties. (Acts 68th  
12-39 Leg., R.S., Ch. 1081, Sec. 11(d).)

12-40                  Sec. 7811.058. COMPENSATION OF DIRECTORS. (a) A director  
12-41 is entitled to receive \$25 for each day spent performing district  
12-42 work, not to exceed \$200 per month.

12-43                  (b) In all areas of conflict with Subsection (a) of this  
12-44 section, Section 49.060, Water Code, takes precedence.

12-45                  (c) A director's compensation may be increased as  
12-46 authorized by Section 49.060, Water Code, by resolution adopted by  
12-47 the board in accordance with Subsection (e) of that section on or  
12-48 after September 1, 1995. (Acts 68th Leg., R.S., Ch. 1081, Sec. 3(i)  
12-49 (part); New.)

12-50                  Sec. 7811.059. VOTE REQUIRED FOR OFFICIAL BOARD ACTION. An  
12-51 official action of the board is not valid without the affirmative  
12-52 vote of a majority of the directors. (Acts 68th Leg., R.S., Ch.  
12-53 1081, Sec. 3(d) (part).)

12-54                  Sec. 7811.060. DESIGNATION OF DIRECTOR TO ACT ON DISTRICT'S  
12-55 BEHALF. The board may designate one or more directors to execute on  
12-56 behalf of the district all contracts, including a construction  
12-57 contract, sign checks, or handle any other matter entered into by  
12-58 the board as shown in the district's official minutes. (Acts 68th  
12-59 Leg., R.S., Ch. 1081, Sec. 3(e).)

12-60                  Sec. 7811.061. DISTRICT OFFICE. (a) The board shall  
12-61 establish and maintain a district office inside the district.

12-62                  (b) The board may establish a second district office outside  
12-63 the district.

12-64                  (c) A district office may be a private residence or office  
12-65 and that residence or office is a public place for matters relating  
12-66 to the district's business. (Acts 68th Leg., R.S., Ch. 1081, Sec.  
12-67 12.)

12-68                  Sec. 7811.062. RECORDS. The board shall keep the  
12-69

13-1 district's records open to public inspection at reasonable times at  
 13-2 the district's principal office. (Acts 68th Leg., R.S., Ch. 1081,  
 13-3 Sec. 3(k).)

13-4 SUBCHAPTER C. POWERS AND DUTIES

13-5 Sec. 7811.101. GENERAL POWERS AND DUTIES. (a) The district  
 13-6 may exercise the rights, powers, privileges, and functions provided  
 13-7 by Section 59, Article XVI, Texas Constitution, Chapters 49 and 57,  
 13-8 Water Code, and this chapter.

13-9 (b) The district may construct and maintain levees and other  
 13-10 improvements on, along, and contiguous to rivers, creeks, streams,  
 13-11 and drainage courses for the purposes of:

- 13-12 (1) reclaiming land from overflow from that water;
- 13-13 (2) controlling and distributing the water of rivers  
 13-14 and streams by straightening and improving the rivers and streams;
- 13-15 (3) draining and improving the land; and
- 13-16 (4) preventing the pollution of the water. (Acts 68th  
 13-17 Leg., R.S., Ch. 1081, Secs. 1(d) (part), (e); New.)

13-18 Sec. 7811.102. EMINENT DOMAIN. (a) The district may  
 13-19 exercise the power of eminent domain in Dallas County to acquire the  
 13-20 fee simple title to or an easement or right-of-way to, over, or  
 13-21 through any land, water, or land under water inside or outside the  
 13-22 district that has a direct effect on the accomplishment of the  
 13-23 purposes for which the district is created and is necessary for  
 13-24 constructing and maintaining all levees and other improvements for  
 13-25 the improvement of rivers, creeks, streams, or drainage courses in  
 13-26 the district or bordering the district and to prevent overflows.

13-27 (b) The district may not exercise the power of eminent  
 13-28 domain under Subsection (a) to acquire land or other property that  
 13-29 is used for cemetery purposes.

13-30 (c) The district must exercise the power of eminent domain  
 13-31 in the manner provided by Chapter 21, Property Code.

13-32 (d) The district may not exercise the power of eminent  
 13-33 domain within the corporate limits of a constituent municipality  
 13-34 without the prior approval by resolution of the governing body of  
 13-35 the municipality.

13-36 (e) The district's authority under this section to exercise  
 13-37 the power of eminent domain expired on September 1, 2013, unless the  
 13-38 district submitted a letter to the comptroller in accordance with  
 13-39 Section 2206.101(b), Government Code, not later than December 31,  
 13-40 2012. (Acts 68th Leg., R.S., Ch. 1081, Secs. 9(a), (b) (part), (d);  
 13-41 New.)

13-42 Sec. 7811.103. COST OF RELOCATING OR ALTERING PROPERTY.

13-43 (a) In this section, "sole expense" means the actual cost of  
 13-44 relocating, raising, lowering, rerouting, changing the grade of, or  
 13-45 altering the construction of a facility described by Subsection (b)  
 13-46 to provide comparable replacement without enhancement of the  
 13-47 facility, after deducting the net salvage value of the old  
 13-48 facility.

13-49 (b) If the district's exercise of its power of eminent  
 13-50 domain makes necessary relocating, raising, lowering, rerouting,  
 13-51 changing the grade of, or altering the construction of a highway,  
 13-52 railroad, electric transmission or distribution line, telephone or  
 13-53 telegraph property or facility, or pipeline, the necessary action  
 13-54 shall be accomplished at the sole expense of the district unless the  
 13-55 owner of the relocated or altered facility has a legal obligation to  
 13-56 pay those expenses. (Acts 68th Leg., R.S., Ch. 1081, Sec. 9(c).)

13-57 Sec. 7811.104. CONTRACTS FOR FACILITIES AND IMPROVEMENTS;  
 13-58 ELECTION NOT REQUIRED. (a) The district may enter into a contract  
 13-59 with a person for the maintenance or construction of any facility or  
 13-60 improvement authorized by this chapter.

13-61 (b) The district may enter into a contract under Subsection  
 13-62 (a) without:

- 13-63 (1) voting for the issuance of bonds; or
- 13-64 (2) holding an election to approve the contract. (Acts  
 13-65 68th Leg., R.S., Ch. 1081, Sec. 10.)

13-66 Sec. 7811.105. PROHIBITED FUNCTIONS. The district may not:

- 13-67 (1) engage in any park, water service, wastewater  
 13-68 service, police, or firefighting function; or
- 13-69 (2) spend any district money or issue bonds for any

14-1 function described by Subdivision (1). (Acts 68th Leg., R.S., Ch.  
14-2 1081, Sec. 7.)

14-3 Sec. 7811.106. STANDARDS FOR ROAD, STREET, OR UTILITY  
14-4 CONSTRUCTION. Any road, street, or utility construction by the  
14-5 district begun on or after August 31, 1987, within the corporate  
14-6 limits of a constituent municipality must comply with the standards  
14-7 for construction adopted by the municipality. (Acts 68th Leg.,  
14-8 R.S., Ch. 1081, Sec. 15.)

14-9 Sec. 7811.107. APPROVAL OF RECLAMATION PLAN, AMENDMENT, OR  
14-10 PROJECT. In addition to any other requirements in this chapter, a  
14-11 reclamation plan adopted by the district, an amendment to a  
14-12 reclamation plan, or a project of the district that is not included  
14-13 in a reclamation plan must be approved by both constituent  
14-14 municipalities before the plan, amendment, or project takes effect.  
14-15 (Acts 68th Leg., R.S., Ch. 1081, Sec. 1(g).)

#### 14-16 SUBCHAPTER D. TAX ABATEMENT IN REINVESTMENT ZONE

14-17 Sec. 7811.151. DESIGNATION OF REINVESTMENT ZONE. (a) The  
14-18 district by resolution may designate as a reinvestment zone an area  
14-19 or real or personal property in the taxing jurisdiction of the  
14-20 district that the board finds satisfies the requirements of Section  
14-21 7811.152. The board must find that the proposed  
14-22 commercial-industrial or residential project or projects meet the  
14-23 criteria prescribed by Section 7811.152.

14-24 (b) The resolution must describe the boundaries of the zone  
14-25 and the eligibility of the zone for commercial-industrial or  
14-26 residential tax abatement.

14-27 (c) The area of a reinvestment zone designated for  
14-28 commercial-industrial or residential tax abatement may be included  
14-29 in an overlapping or coincidental commercial-industrial or  
14-30 residential zone established under Chapter 312, Tax Code.

14-31 (d) The district may not adopt a resolution designating an  
14-32 area as a reinvestment zone until the district has held a public  
14-33 hearing on the designation and has found that the improvements  
14-34 sought are feasible and practical and would be a benefit to the land  
14-35 to be included in the zone and to the district after the expiration  
14-36 of an agreement entered into under Section 7811.154 or 7811.155. At  
14-37 the hearing, interested persons are entitled to speak and present  
14-38 evidence for or against the designation. Not later than the seventh  
14-39 day before the date of the hearing, notice of the hearing must be:

14-40 (1) published in a newspaper having general  
14-41 circulation in the district; and

14-42 (2) delivered in writing to the presiding officer of  
14-43 the governing body of each taxing unit that includes in its  
14-44 boundaries real property that is to be included in the proposed  
14-45 reinvestment zone.

14-46 (e) A notice made under Subsection (d)(2) is presumed  
14-47 delivered when placed in the mail postage paid and properly  
14-48 addressed to the appropriate presiding officer. A notice properly  
14-49 addressed and sent by registered or certified mail for which a  
14-50 return receipt is received by the sender is considered to have been  
14-51 delivered to the addressee. (Acts 68th Leg., R.S., Ch. 1081, Secs.  
14-52 16A (part), 16C.)

14-53 Sec. 7811.152. CRITERIA FOR REINVESTMENT ZONE. To be  
14-54 designated as a reinvestment zone under this subchapter, an area  
14-55 must be reasonably likely as a result of the designation to  
14-56 contribute to the retention or expansion of primary employment or  
14-57 to attract major investment in the zone that would be a benefit to  
14-58 the property and that would contribute to the economic development  
14-59 of the district. (Acts 68th Leg., R.S., Ch. 1081, Sec. 16D(a).)

14-60 Sec. 7811.153. EXPIRATION OF REINVESTMENT ZONE. The  
14-61 designation of a reinvestment zone for commercial-industrial or  
14-62 residential tax abatement expires five years after the date of the  
14-63 designation and may be renewed for periods not to exceed five years.  
14-64 The expiration of the designation does not affect an existing tax  
14-65 abatement agreement governed by this subchapter. (Acts 68th Leg.,  
14-66 R.S., Ch. 1081, Sec. 16D(b).)

14-67 Sec. 7811.154. TAX ABATEMENT AGREEMENT. (a) The district  
14-68 may enter into a tax abatement agreement by agreeing, in writing,  
14-69 with the owner of taxable real property that is located in a

15-1 reinvestment zone to exempt from taxation a portion of the value of  
 15-2 the real property or of tangible personal property located on the  
 15-3 real property, or both, for a period not to exceed 30 years, on the  
 15-4 condition that the owner of the property make specific improvements  
 15-5 or repairs to the property.

15-6 (b) The real property covered by the agreement may not be  
 15-7 located in an improvement project financed by tax increment bonds.

15-8 (c) The agreement is subject to the rights of holders of  
 15-9 outstanding bonds of the district.

15-10 (d) The agreement may:

15-11 (1) provide for the exemption of the real property in  
 15-12 each year covered by the agreement only to the extent its value for  
 15-13 that year exceeds its value for the year in which the agreement is  
 15-14 executed;

15-15 (2) provide for the exemption of tangible personal  
 15-16 property located on the real property in each year covered by the  
 15-17 agreement other than tangible personal property that was located on  
 15-18 the real property at any time before the period covered by the  
 15-19 agreement with the district; and

15-20 (3) cover more than one commercial-industrial or  
 15-21 residential project. (Acts 68th Leg., R.S., Ch. 1081, Secs. 16A  
 15-22 (part), 16E(a).)

15-23 Sec. 7811.155. TAX ABATEMENT AGREEMENT: CERTIFICATED AIR  
 15-24 CARRIER.

15-25 (a) The district may enter into a tax abatement  
 15-26 agreement by agreeing, in writing, with the owner or lessee of real  
 15-27 property that is located in a reinvestment zone to exempt from  
 15-28 taxation for a period not to exceed 30 years a portion of the value  
 15-29 of the real property or of personal property, or both, located in  
 15-30 the zone and owned or leased by a certificated air carrier on the  
 15-31 condition that the certificated air carrier:

15-32 (1) make specific real property improvements; or

15-33 (2) lease, for a term of 30 years or more, real  
 15-34 property improvements located in the reinvestment zone.

15-35 (b) The agreement may provide for the exemption of the:

15-36 (1) real property in each year covered by the  
 15-37 agreement to the extent its value for that year exceeds its value  
 15-38 for the year in which the agreement is executed; and

15-39 (2) personal property owned or leased by a  
 15-40 certificated air carrier located in the reinvestment zone in each  
 15-41 year covered by the agreement other than specific personal property  
 15-42 that was located in the reinvestment zone at any time before the  
 15-43 period covered by the agreement with the district. (Acts 68th Leg.,  
 15-44 R.S., Ch. 1081, Secs. 16A (part), 16E(d).)

15-45 Sec. 7811.156. TAX ABATEMENT AGREEMENT REQUIREMENTS. (a)  
 15-46 This section applies to an agreement made under Section 7811.154 or  
 15-47 7811.155.

15-48 (b) The agreement must:

15-49 (1) list the kind, number, and location of all  
 15-50 proposed improvements of the property; and

15-51 (2) provide for:

15-52 (A) the availability of tax abatement for both  
 15-53 new facilities and structures and for the expansion or  
 15-54 modernization of existing facilities and structures; and

15-55 (B) recapturing property tax revenue lost as a  
 15-56 result of the agreement if the owner of the property fails to make  
 15-57 the improvements or repairs as provided by the agreement.

15-58 (c) A tax abatement agreement is not required to contain  
 15-59 terms identical to another tax abatement agreement that covers the  
 15-60 same exempted property or a portion of that property.

15-61 (d) Property that is in a reinvestment zone and that is  
 15-62 owned or leased by a director is excluded from property tax  
 15-63 abatement.

15-64 (e) The agreement may include, at the option of the  
 15-65 district, provisions for maps showing existing uses and conditions  
 15-66 and proposed improvements and uses of real property in the  
 15-67 reinvestment zone.

15-68 (f) On approval by the district, the agreement may be  
 15-69 executed in the same manner as other contracts made by the district.

15-70 (g) The agreement applies only to taxes levied by the

16-1 district and does not affect other taxing units that levy taxes on  
 16-2 property in the district. (Acts 68th Leg., R.S., Ch. 1081, Secs. 16A  
 16-3 (part), 16E(b), (c), (e), (f), (g) (part), (h).)

16-4 Sec. 7811.157. NOTICE OF TAX ABATEMENT AGREEMENT TO OTHER  
 16-5 TAXING UNITS. (a) Not later than the seventh day before the date on  
 16-6 which the district enters into an agreement under Section 7811.154  
 16-7 or 7811.155, the board or a designated officer or employee of the  
 16-8 district shall deliver a written notice that the district intends  
 16-9 to enter into the agreement to the Texas Commission on  
 16-10 Environmental Quality and to the presiding officer of the governing  
 16-11 body of each other taxing unit in which the property to be subject  
 16-12 to the agreement is located. The notice must include a copy of the  
 16-13 proposed agreement.

16-14 (b) A notice is presumed delivered when placed in the mail  
 16-15 postage paid and properly addressed to the appropriate presiding  
 16-16 officer. A notice properly addressed and sent by registered or  
 16-17 certified mail for which a return receipt is received by the sender  
 16-18 is considered to have been delivered to the addressee.

16-19 (c) Failure to deliver the notice does not affect the  
 16-20 validity of the agreement. (Acts 68th Leg., R.S., Ch. 1081, Sec.  
 16-21 16F.)

16-22 Sec. 7811.158. MODIFICATION OR TERMINATION OF TAX ABATEMENT  
 16-23 AGREEMENT. (a) At any time before the expiration of an agreement  
 16-24 governed by this subchapter, the agreement may be modified by the  
 16-25 parties to the agreement to include other provisions that could  
 16-26 have been included in the original agreement or to delete  
 16-27 provisions that were not necessary to the original agreement. The  
 16-28 modification must be made by the same procedure by which the  
 16-29 original agreement was approved and executed. The original  
 16-30 agreement may not be modified to extend beyond 30 years from the  
 16-31 date of the original agreement.

16-32 (b) An agreement governed by this subchapter may be  
 16-33 terminated by the mutual consent of the parties in the same manner  
 16-34 that the agreement was approved and executed. (Acts 68th Leg.,  
 16-35 R.S., Ch. 1081, Sec. 16G.)

16-36 Sec. 7811.159. REGISTRY OF REINVESTMENT ZONES AND TAX  
 16-37 ABATEMENT AGREEMENTS; ASSISTANCE TO DISTRICT. (a) The Texas  
 16-38 Economic Development and Tourism Office shall maintain a central  
 16-39 registry of reinvestment zones governed by this subchapter and of  
 16-40 ad valorem tax abatement agreements executed under this subchapter.  
 16-41 Before April 1 of the year following the year in which the zone is  
 16-42 designated or the agreement is executed, the district shall deliver  
 16-43 to the office, the comptroller, and the Texas Commission on  
 16-44 Environmental Quality a report that provides:

16-45 (1) for a reinvestment zone, a general description of  
 16-46 the zone, including its size, the types of property located in it,  
 16-47 and its duration; and

16-48 (2) for a tax abatement agreement, the parties to the  
 16-49 agreement, a general description of the property and the  
 16-50 improvements or repairs to be made under the agreement, the portion  
 16-51 of the property to be exempted, and the duration of the agreement.

16-52 (b) On the request of the board or the board's president,  
 16-53 the office may provide assistance to the district relating to the  
 16-54 administration of this subchapter, including the designation of  
 16-55 reinvestment zones and the adoption of tax abatement agreements.  
 16-56 (Acts 68th Leg., R.S., Ch. 1081, Sec. 16B.)

16-57 Sec. 7811.160. PROPERTIES THAT MAY BE INCLUDED IN TAX  
 16-58 ABATEMENT AGREEMENT. (a) The district may include in a tax  
 16-59 abatement agreement:

16-60 (1) facilities and structures for which construction  
 16-61 began on or after October 1, 1990, but before June 10, 1991;

16-62 (2) existing facilities and structures for which  
 16-63 expansion or modernization construction began on or after October  
 16-64 1, 1990, but before June 10, 1991; and

16-65 (3) tangible personal property located on property  
 16-66 described by Subdivision (1) or (2) in each year covered by the  
 16-67 agreement, other than tangible personal property that was located  
 16-68 on the property at any time before the time period covered by the  
 16-69 agreement.

17-1 (b) A tax abatement agreement made under this section may be  
 17-2 based on the value of the property on January 1 of the year in which  
 17-3 the construction, expansion, or modernization of the property  
 17-4 began. (Acts 72nd Leg., R.S., Ch. 318, Sec. 2.)

17-5 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

17-6 Sec. 7811.201. DEPOSITORY. (a) The board shall designate  
 17-7 one or more banks to serve as the depository for district money.

17-8 (b) District money shall be deposited as received in a  
 17-9 depository bank, other than money transmitted to a bank for payment  
 17-10 of bonds issued by the district.

17-11 (c) If district money is deposited in a depository that is  
 17-12 not insured by the Federal Deposit Insurance Corporation, the money  
 17-13 must be secured in the manner provided by law for the security of  
 17-14 county funds. (Acts 68th Leg., R.S., Ch. 1081, Secs. 11(a), (b),  
 17-15 (c).)

17-16 Sec. 7811.202. AUTHORITY TO ISSUE BONDS AND INCUR  
 17-17 INDEBTEDNESS. (a) The district may issue bonds and incur other  
 17-18 indebtedness in the manner provided by Section 7803.113 and  
 17-19 Subchapter E, Chapter 7803.

17-20 (b) The district shall file with both constituent  
 17-21 municipalities a notice of intent to issue bonds or other  
 17-22 indebtedness not later than the 20th day before the date of  
 17-23 issuance. The notice must state the purpose for which the bonds or  
 17-24 other indebtedness are issued and the approximate principal amount  
 17-25 of the bonds or indebtedness.

17-26 (c) Before the district issues bonds or other indebtedness  
 17-27 in an amount of more than \$500,000, the district must obtain the  
 17-28 approval by resolution of the governing bodies of both constituent  
 17-29 municipalities.

17-30 (d) Bonds or other indebtedness may not be sold at discount  
 17-31 from the principal amount without the prior approval of both  
 17-32 constituent municipalities. (Acts 68th Leg., R.S., Ch. 1081, Secs.  
 17-33 4(c), (d), (e).)

17-34 Sec. 7811.203. CONSTITUENT MUNICIPALITIES NOT OBLIGATED TO  
 17-35 PAY DISTRICT OBLIGATIONS. This chapter does not authorize the  
 17-36 lending or pledge of the credit of either constituent municipality  
 17-37 to the bonds and other indebtedness of the district. The  
 17-38 constituent municipalities are not obligated to pay any bonds,  
 17-39 indebtedness, or other debt of the district. (Acts 68th Leg., R.S.,  
 17-40 Ch. 1081, Sec. 4(f).)

17-41 Sec. 7811.204. BOND ANTICIPATION NOTES. (a) In addition to  
 17-42 all other methods of acquiring money for district purposes, the  
 17-43 district may issue bond anticipation notes for any purpose for  
 17-44 which district bonds have been voted or may be issued to refund  
 17-45 outstanding bond anticipation notes and the interest on the notes  
 17-46 being refunded.

17-47 (b) The notes may bear interest at any rate not to exceed the  
 17-48 maximum interest rate applicable to the district's authorized  
 17-49 bonds.

17-50 (c) The maximum amount of the notes outstanding at any one  
 17-51 time may not exceed \$500,000 without the prior consent of both  
 17-52 constituent municipalities.

17-53 (d) The district shall pay the notes only from the proceeds  
 17-54 of the sale of bonds by the district. (Acts 68th Leg., R.S., Ch.  
 17-55 1081, Secs. 6(a), (b) (part), (c), (d).)

17-56 Sec. 7811.205. PREVIOUSLY AUTHORIZED MAINTENANCE TAXES.  
 17-57 The district may impose a maintenance tax that has been previously  
 17-58 authorized at an election held in the district. (Acts 68th Leg.,  
 17-59 R.S., Ch. 1081, Sec. 4(b) (part).)

17-60 SECTION 1.04. Subtitle H, Title 6, Special District Local  
 17-61 Laws Code, is amended by adding Chapters 8877, 8879, 8880, 8881,  
 17-62 8882, 8883, 8884, 8885, 8886, 8887, and 8888 to read as follows:

17-63 CHAPTER 8877. CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT

17-64 SUBCHAPTER A. GENERAL PROVISIONS

17-65 Sec. 8877.001. DEFINITIONS

17-66 Sec. 8877.002. NATURE OF DISTRICT

17-67 Sec. 8877.003. FINDINGS OF PUBLIC USE AND BENEFIT

17-68 Sec. 8877.004. DISTRICT TERRITORY

17-69 Sec. 8877.005. CONFLICTS OF LAW

## SUBCHAPTER B. BOARD OF DIRECTORS

- 18-1  
 18-2 Sec. 8877.051. COMPOSITION OF BOARD; TERMS  
 18-3 Sec. 8877.052. ELECTION OF DIRECTORS  
 18-4 Sec. 8877.053. ELECTION DATE  
 18-5 Sec. 8877.054. QUALIFICATIONS FOR OFFICE

## SUBCHAPTER C. POWERS AND DUTIES

- 18-6  
 18-7 Sec. 8877.101. GENERAL POWERS AND DUTIES

## SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

- 18-8  
 18-9 Sec. 8877.151. MAINTENANCE AND OPERATION TAX

## CHAPTER 8877. CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

- 18-10  
 18-11 Sec. 8877.001. DEFINITIONS. In this chapter:

18-12 (1) "Board" means the district's board of directors.

18-13 (2) "Director" means a board member.

18-14 (3) "District" means the Clearwater Underground Water

18-15 Conservation District. (Acts 71st Leg., R.S., Ch. 524, Secs. 1(a)  
 18-16 (part), 2; New.)

18-17 Sec. 8877.002. NATURE OF DISTRICT. The district is a  
 18-18 groundwater conservation district in Bell County created under and  
 18-19 essential to accomplish the purposes of Section 59, Article XVI,  
 18-20 Texas Constitution. (Acts 71st Leg., R.S., Ch. 524, Secs. 1(a)  
 18-21 (part), (b), 3 (part).)

18-22 Sec. 8877.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The  
 18-23 district is created to serve a public use and benefit.

18-24 (b) All land and other property included in the district  
 18-25 will benefit from the works and projects accomplished by the  
 18-26 district under the powers conferred by Section 59, Article XVI,  
 18-27 Texas Constitution. (Acts 71st Leg., R.S., Ch. 524, Sec. 5.)

18-28 Sec. 8877.004. DISTRICT TERRITORY. The district includes  
 18-29 the territory located in Bell County unless the district's  
 18-30 territory has been modified under:

18-31 (1) Subchapter J or K, Chapter 36, Water Code; or

18-32 (2) other law. (Acts 71st Leg., R.S., Ch. 524, Sec. 3;  
 18-33 New.)

18-34 Sec. 8877.005. CONFLICTS OF LAW. This chapter prevails  
 18-35 over any provision of general law that is in conflict or  
 18-36 inconsistent with this chapter. (Acts 71st Leg., R.S., Ch. 524,  
 18-37 Sec. 6(a) (part).)

## SUBCHAPTER B. BOARD OF DIRECTORS

18-38 Sec. 8877.051. COMPOSITION OF BOARD; TERMS. (a) The  
 18-39 district is governed by a board of five elected directors.

18-40 (b) Except as provided by Section 8877.052(d), directors  
 18-41 serve staggered four-year terms. (Acts 71st Leg., R.S., Ch. 524,  
 18-42 Secs. 7(a), (d), 10(e) (part).)

18-43 Sec. 8877.052. ELECTION OF DIRECTORS. (a) Directors are  
 18-44 elected according to the commissioners precinct method as provided  
 18-45 by this section.

18-46 (b) One director is elected by the voters of the entire  
 18-47 district. One director is elected from each county commissioners  
 18-48 precinct by the voters of that precinct.

18-49 (c) A person shall indicate on the application for a place  
 18-50 on the ballot:

18-51 (1) the precinct that the person seeks to represent;

18-52 or

18-53 (2) that the person seeks to represent the district at

18-54 large.

18-55 (d) At the first election after the county commissioners  
 18-56 precincts are redrawn under Section 18, Article V, Texas  
 18-57 Constitution, four new directors shall be elected to represent the  
 18-58 newly redrawn precincts. The directors from precincts one and three  
 18-59 shall be elected for two-year terms. The directors from precincts  
 18-60 two and four shall be elected for four-year terms. When the  
 18-61 directors elected from the new precincts take office, the terms of  
 18-62 the directors elected from the previous precincts expire. (Acts  
 18-63 71st Leg., R.S., Ch. 524, Secs. 10(a), (b), (d), (f).)

18-64 Sec. 8877.053. ELECTION DATE. The district shall hold an  
 18-65 election to elect the appropriate number of directors on the  
 18-66 uniform election date in November of each even-numbered year.  
 18-67 (Acts 71st Leg., R.S., Ch. 524, Sec. 10(e) (part).)

19-1           Sec. 8877.054. QUALIFICATIONS FOR OFFICE. (a) To be  
 19-2 qualified to be a candidate for or to serve as director at large, a  
 19-3 person must be a registered voter in the district.

19-4           (b) To be a candidate for or to serve as director from a  
 19-5 county commissioners precinct, a person must be a registered voter  
 19-6 of that precinct. (Acts 71st Leg., R.S., Ch. 524, Sec. 10(c).)

19-7                           SUBCHAPTER C. POWERS AND DUTIES

19-8           Sec. 8877.101. GENERAL POWERS AND DUTIES. The district has  
 19-9 all of the rights, powers, privileges, functions, and duties  
 19-10 provided by the general law of this state, including Chapter 36,  
 19-11 Water Code, applicable to groundwater conservation districts  
 19-12 created under Section 59, Article XVI, Texas Constitution. (Acts  
 19-13 71st Leg., R.S., Ch. 524, Sec. 6(a) (part).)

19-14                           SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

19-15           Sec. 8877.151. MAINTENANCE AND OPERATION TAX. (a) Except  
 19-16 as provided by Subsection (b), the district may impose an ad valorem  
 19-17 tax at a rate not to exceed five cents on each \$100 of valuation of  
 19-18 property in the district to pay for the maintenance and operation of  
 19-19 the district on approval of a majority of the voters of the district  
 19-20 at an election held for that purpose.

19-21           (b) The board may increase the maximum amount of ad valorem  
 19-22 taxes that may be imposed in the district:

19-23                   (1) if the board determines that the maximum tax  
 19-24 authorized by Subsection (a) is not sufficient to pay the  
 19-25 maintenance and operating expenses of the district; and

19-26                   (2) on approval of a majority of the voters of the  
 19-27 district voting at an election held for that purpose.

19-28           (c) The maximum amount of taxes that may be authorized under  
 19-29 this section may not exceed 25 cents on each \$100 of valuation of  
 19-30 property in the district. (Acts 71st Leg., R.S., Ch. 524, Secs.  
 19-31 11(a), (b).)

19-32           CHAPTER 8879. CROCKETT COUNTY GROUNDWATER CONSERVATION DISTRICT

19-33                           SUBCHAPTER A. GENERAL PROVISIONS

- 19-34           Sec. 8879.001. DEFINITIONS
- 19-35           Sec. 8879.002. NATURE OF DISTRICT
- 19-36           Sec. 8879.003. FINDINGS OF PUBLIC USE AND BENEFIT
- 19-37           Sec. 8879.004. DISTRICT TERRITORY
- 19-38           Sec. 8879.005. LOCATION OF DISTRICT ELECTIONS
- 19-39           Sec. 8879.006. CONFLICTS OF LAW

19-40                           SUBCHAPTER B. BOARD OF DIRECTORS

- 19-41           Sec. 8879.051. COMPOSITION OF BOARD; TERMS
- 19-42           Sec. 8879.052. ELECTION DATE
- 19-43           Sec. 8879.053. DISQUALIFICATION OF DIRECTORS

19-44                           SUBCHAPTER C. POWERS AND DUTIES

- 19-45           Sec. 8879.101. GENERAL POWERS AND DUTIES

19-46                           SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

- 19-47           Sec. 8879.151. LIMITATION ON AD VALOREM TAX RATE
- 19-48           Sec. 8879.152. ELECTION TO INCREASE AD VALOREM TAX  
 19-49 RATE

19-50           CHAPTER 8879. CROCKETT COUNTY GROUNDWATER CONSERVATION DISTRICT

19-51                           SUBCHAPTER A. GENERAL PROVISIONS

19-52           Sec. 8879.001. DEFINITIONS. In this chapter:  
 19-53                   (1) "Board" means the district's board of directors.  
 19-54                   (2) "Director" means a board member.  
 19-55                   (3) "District" means the Crockett County Groundwater  
 19-56 Conservation District. (Acts 71st Leg., R.S., Ch. 712, Sec. 2;  
 19-57 New.)

19-58           Sec. 8879.002. NATURE OF DISTRICT. The district is a  
 19-59 groundwater conservation district in Crockett County created under  
 19-60 and essential to accomplish the purposes of Section 59, Article  
 19-61 XVI, Texas Constitution. (Acts 71st Leg., R.S., Ch. 712, Secs. 1(a)  
 19-62 (part), (b).)

19-63           Sec. 8879.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The  
 19-64 district is created to serve a public use and benefit.

19-65           (b) All land and other property included in the district  
 19-66 will benefit from the works and projects accomplished by the  
 19-67 district under the powers conferred by Section 59, Article XVI,  
 19-68 Texas Constitution. (Acts 71st Leg., R.S., Ch. 712, Sec. 5.)

19-69           Sec. 8879.004. DISTRICT TERRITORY. (a) The district is

20-1 composed of the territory in Crockett County other than the tract of  
20-2 land described by metes and bounds in Section 3, Chapter 712, Acts  
20-3 of the 71st Legislature, Regular Session, 1989, as that territory  
20-4 may have been modified under:

- 20-5 (1) Subchapter J or K, Chapter 36, Water Code; or
- 20-6 (2) other law.

20-7 (b) The boundaries and field notes of the district form a  
20-8 closure. A mistake in the field notes or in copying the field notes  
20-9 in the legislative process does not affect:

- 20-10 (1) the district's organization, existence, or
- 20-11 validity;
- 20-12 (2) the district's right to impose taxes; or
- 20-13 (3) the legality or operation of the district or its
- 20-14 governing body. (Acts 71st Leg., R.S., Ch. 712, Secs. 3 (part), 4;
- 20-15 New.)

20-16 Sec. 8879.005. LOCATION OF DISTRICT ELECTIONS. A district  
20-17 election may be held at any location in Crockett County. (Acts 71st  
20-18 Leg., R.S., Ch. 712, Sec. 10B.)

20-19 Sec. 8879.006. CONFLICTS OF LAW. This chapter prevails  
20-20 over any provision of general law that is in conflict or  
20-21 inconsistent with this chapter. (Acts 71st Leg., R.S., Ch. 712,  
20-22 Sec. 6(a) (part).)

20-23 SUBCHAPTER B. BOARD OF DIRECTORS

20-24 Sec. 8879.051. COMPOSITION OF BOARD; TERMS. (a) The  
20-25 district is governed by a board of five elected directors.

20-26 (b) Directors serve staggered four-year terms, with the  
20-27 terms of two or three directors expiring December 1 of each  
20-28 even-numbered year. (Acts 71st Leg., R.S., Ch. 712, Secs. 7(a),  
20-29 (d), 10A (part).)

20-30 Sec. 8879.052. ELECTION DATE. The district shall hold an  
20-31 election to elect the appropriate number of directors on the  
20-32 uniform election date in November of each even-numbered year.  
20-33 (Acts 71st Leg., R.S., Ch. 712, Sec. 10A.)

20-34 Sec. 8879.053. DISQUALIFICATION OF DIRECTORS.  
20-35 Notwithstanding Sections 49.001 and 49.002(b), Water Code, Section  
20-36 49.052, Water Code, applies to a director. (Acts 71st Leg., R.S.,  
20-37 Ch. 712, Sec. 7(a-1).)

20-38 SUBCHAPTER C. POWERS AND DUTIES

20-39 Sec. 8879.101. GENERAL POWERS AND DUTIES. The district has  
20-40 the rights, powers, privileges, functions, and duties provided by  
20-41 the general law of this state, including Chapter 36 and Subchapters  
20-42 H and I, Chapter 49, Water Code, applicable to groundwater  
20-43 conservation districts created under Section 59, Article XVI, Texas  
20-44 Constitution. (Acts 71st Leg., R.S., Ch. 712, Sec. 6(a) (part).)

20-45 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20-46 Sec. 8879.151. LIMITATION ON AD VALOREM TAX RATE. Except as  
20-47 provided by Section 8879.152, the rate of an ad valorem tax imposed  
20-48 by the district under Chapter 36, Water Code, may not exceed five  
20-49 cents on each \$100 of assessed valuation. (Acts 71st Leg., R.S.,  
20-50 Ch. 712, Sec. 11(a); New.)

20-51 Sec. 8879.152. ELECTION TO INCREASE AD VALOREM TAX RATE.  
20-52 (a) If at a regular meeting of the board, the board determines that  
20-53 the district ad valorem tax is no longer sufficient, the board may  
20-54 hold an election to approve an increase in the district's tax rate  
20-55 not to exceed an additional five cents on each \$100 of assessed  
20-56 valuation above the rate specified by Section 8879.151.

20-57 (b) If a majority of the voters favor the increase in the  
20-58 district's tax rate, the district may impose an ad valorem tax at  
20-59 the increased rate. (Acts 71st Leg., R.S., Ch. 712, Sec. 11(b).)

20-60 CHAPTER 8880. GONZALES COUNTY UNDERGROUND WATER CONSERVATION  
20-61 DISTRICT

20-62 SUBCHAPTER A. GENERAL PROVISIONS

20-63 Sec. 8880.001. DEFINITIONS

20-64 SUBCHAPTER B. BOARD OF DIRECTORS

20-65 Sec. 8880.051. SINGLE-MEMBER DIRECTOR PRECINCTS

20-66 CHAPTER 8880. GONZALES COUNTY UNDERGROUND WATER CONSERVATION  
20-67 DISTRICT

20-68 SUBCHAPTER A. GENERAL PROVISIONS

20-69 Sec. 8880.001. DEFINITIONS. In this chapter:

- 21-1 (1) "Board" means the district's board of directors.
- 21-2 (2) "Director" means a board member.
- 21-3 (3) "District" means the Gonzales County Underground
- 21-4 Water Conservation District. (Acts 74th Leg., R.S., Ch. 368, Sec.
- 21-5 1; New.)

SUBCHAPTER B. BOARD OF DIRECTORS

21-7 Sec. 8880.051. SINGLE-MEMBER DIRECTOR PRECINCTS. (a) The  
 21-8 board may divide the district into five single-member director  
 21-9 precincts of substantially equal population for the purpose of  
 21-10 electing directors.

21-11 (b) Notwithstanding Section 36.059(b), Water Code, the  
 21-12 board may divide territory contained in a municipal corporation in  
 21-13 the district into as many precincts as necessary to obtain  
 21-14 precincts of substantially equal population. (Acts 74th Leg.,  
 21-15 R.S., Ch. 368, Sec. 2.)

21-16 CHAPTER 8881. MESA UNDERGROUND WATER CONSERVATION DISTRICT

21-17 SUBCHAPTER A. GENERAL PROVISIONS

- 21-18 Sec. 8881.001. DEFINITIONS
- 21-19 Sec. 8881.002. NATURE OF DISTRICT
- 21-20 Sec. 8881.003. FINDINGS OF PUBLIC USE AND BENEFIT
- 21-21 Sec. 8881.004. DISTRICT TERRITORY

21-22 SUBCHAPTER B. BOARD OF DIRECTORS

- 21-23 Sec. 8881.051. COMPOSITION OF BOARD; TERMS
- 21-24 Sec. 8881.052. ELECTION OF DIRECTORS
- 21-25 Sec. 8881.053. ELECTION DATE
- 21-26 Sec. 8881.054. QUALIFICATIONS FOR OFFICE

21-27 SUBCHAPTER C. POWERS AND DUTIES

- 21-28 Sec. 8881.101. GENERAL POWERS AND DUTIES
- 21-29 Sec. 8881.102. CONTRACT AUTHORITY OF DISTRICT
- 21-30 Sec. 8881.103. ANNEXATION OF TERRITORY

21-31 CHAPTER 8881. MESA UNDERGROUND WATER CONSERVATION DISTRICT

21-32 SUBCHAPTER A. GENERAL PROVISIONS

21-33 Sec. 8881.001. DEFINITIONS. In this chapter:

- 21-34 (1) "Board" means the district's board of directors.
- 21-35 (2) "Director" means a board member.
- 21-36 (3) "District" means the Mesa Underground Water
- 21-37 Conservation District. (Acts 71st Leg., R.S., Ch. 669, Secs. 1(a)
- 21-38 (part), 2; New.)

21-39 Sec. 8881.002. NATURE OF DISTRICT. The district is a  
 21-40 groundwater conservation district in Dawson County created under  
 21-41 and essential to accomplish the purposes of Section 59, Article  
 21-42 XVI, Texas Constitution. (Acts 71st Leg., R.S., Ch. 669, Secs. 1(a)

21-43 (part), (b).)

21-44 Sec. 8881.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The

21-45 district is created to serve a public use and benefit.  
 21-46 (b) All land and other property included in the district  
 21-47 will benefit from the works and projects accomplished by the  
 21-48 district under the powers conferred by Section 59, Article XVI,  
 21-49 Texas Constitution. (Acts 71st Leg., R.S., Ch. 669, Sec. 5.)

21-50 Sec. 8881.004. DISTRICT TERRITORY. The district includes  
 21-51 the territory located in Dawson County, unless the district's  
 21-52 territory has been modified under:

21-53 (1) Section 8881.103 of this chapter or its  
 21-54 predecessor statute, former Section 11(c), Chapter 669, Acts of the  
 21-55 71st Legislature, Regular Session, 1989; or

21-56 (2) other law. (Acts 71st Leg., R.S., Ch. 669, Sec. 3;  
 21-57 New.)

21-58 SUBCHAPTER B. BOARD OF DIRECTORS

21-59 Sec. 8881.051. COMPOSITION OF BOARD; TERMS. (a) The  
 21-60 district is governed by a board of five elected directors.

21-61 (b) Directors serve staggered four-year terms. (Acts 71st  
 21-62 Leg., R.S., Ch. 669, Secs. 7(a) (part), (b) (part), (e).)

21-63 Sec. 8881.052. ELECTION OF DIRECTORS. One director is  
 21-64 elected from each county commissioners precinct in Dawson County  
 21-65 and one director is elected from the district at large. (Acts 71st  
 21-66 Leg., R.S., Ch. 669, Sec. 7(b) (part).)

21-67 Sec. 8881.053. ELECTION DATE. The district shall hold an  
 21-68 election to elect the appropriate number of directors on the  
 21-69 uniform election date in May of each even-numbered year or another

22-1 date authorized by law. (Acts 71st Leg., R.S., Ch. 669, Sec. 10;  
 22-2 New.)

22-3 Sec. 8881.054. QUALIFICATIONS FOR OFFICE. (a) A director  
 22-4 must be 18 years of age or older.

22-5 (b) To represent a county commissioners precinct, the  
 22-6 director must be a resident of that precinct. (Acts 71st Leg., R.S.,  
 22-7 Ch. 669, Secs. 7(a) (part), (b) (part).)

22-8 SUBCHAPTER C. POWERS AND DUTIES

22-9 Sec. 8881.101. GENERAL POWERS AND DUTIES. The district has  
 22-10 all of the rights, powers, privileges, functions, and duties  
 22-11 provided by the general law of this state, including Chapter 36,  
 22-12 Water Code, applicable to groundwater conservation districts  
 22-13 created under Section 59, Article XVI, Texas Constitution. (Acts  
 22-14 71st Leg., R.S., Ch. 669, Sec. 6(a) (part).)

22-15 Sec. 8881.102. CONTRACT AUTHORITY OF DISTRICT. (a) The  
 22-16 district may contract for, sell, and distribute water from a water  
 22-17 import authority or other agency.

22-18 (b) The district may contract with other districts that have  
 22-19 powers similar to those of the district to achieve common goals.  
 22-20 (Acts 71st Leg., R.S., Ch. 669, Secs. 11(a), (b).)

22-21 Sec. 8881.103. ANNEXATION OF TERRITORY. (a) Territory may  
 22-22 be added to the district under:

22-23 (1) Subchapter J, Chapter 49, Water Code; or  
 22-24 (2) Subchapter O, Chapter 51, Water Code.

22-25 (b) If the district annexes territory, the board shall  
 22-26 determine the precincts to which annexed territory is added for the  
 22-27 purpose of electing directors. (Acts 71st Leg., R.S., Ch. 669, Sec.  
 22-28 11(c); New.)

22-29 CHAPTER 8882. SANDY LAND UNDERGROUND WATER CONSERVATION DISTRICT

22-30 SUBCHAPTER A. GENERAL PROVISIONS

22-31 Sec. 8882.001. DEFINITIONS

22-32 Sec. 8882.002. NATURE OF DISTRICT

22-33 Sec. 8882.003. FINDINGS OF PUBLIC USE AND BENEFIT

22-34 Sec. 8882.004. DISTRICT TERRITORY

22-35 SUBCHAPTER B. BOARD OF DIRECTORS

22-36 Sec. 8882.051. COMPOSITION OF BOARD; TERMS

22-37 Sec. 8882.052. ELECTION DATE

22-38 SUBCHAPTER C. POWERS AND DUTIES

22-39 Sec. 8882.101. GENERAL POWERS AND DUTIES

22-40 CHAPTER 8882. SANDY LAND UNDERGROUND WATER CONSERVATION DISTRICT

22-41 SUBCHAPTER A. GENERAL PROVISIONS

22-42 Sec. 8882.001. DEFINITIONS. In this chapter:

22-43 (1) "Board" means the district's board of directors.  
 22-44 (2) "Director" means a board member.  
 22-45 (3) "District" means the Sandy Land Underground Water  
 22-46 Conservation District. (Acts 71st Leg., R.S., Ch. 673, Secs. 1(a)  
 22-47 (part), 2; New.)

22-48 Sec. 8882.002. NATURE OF DISTRICT. The district is a  
 22-49 groundwater conservation district in Yoakum County created under  
 22-50 and essential to accomplish the purposes of Section 59, Article  
 22-51 XVI, Texas Constitution. (Acts 71st Leg., R.S., Ch. 673, Secs. 1(a)  
 22-52 (part), (b).)

22-53 Sec. 8882.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The  
 22-54 district is created to serve a public use and benefit.

22-55 (b) All land and other property included in the district  
 22-56 will benefit from the works and projects accomplished by the  
 22-57 district under the powers conferred by Section 59, Article XVI,  
 22-58 Texas Constitution. (Acts 71st Leg., R.S., Ch. 673, Sec. 5.)

22-59 Sec. 8882.004. DISTRICT TERRITORY. The district includes  
 22-60 the territory located in Yoakum County unless the district's  
 22-61 territory has been modified under:

22-62 (1) Subchapter J or K, Chapter 36, Water Code; or  
 22-63 (2) other law. (Acts 71st Leg., R.S., Ch. 673, Sec. 3;  
 22-64 New.)

22-65 SUBCHAPTER B. BOARD OF DIRECTORS

22-66 Sec. 8882.051. COMPOSITION OF BOARD; TERMS. (a) The  
 22-67 district is governed by a board of five directors.

22-68 (b) Directors serve staggered four-year terms. (Acts 71st  
 22-69 Leg., R.S., Ch. 673, Secs. 7(a), (d).)

23-1           Sec. 8882.052. ELECTION DATE. The district shall hold an  
 23-2 election to elect the appropriate number of directors on the  
 23-3 uniform election date in May of every other year or another date  
 23-4 authorized by law. (Acts 71st Leg., R.S., Ch. 673, Sec. 10; New.)  
 23-5                       SUBCHAPTER C. POWERS AND DUTIES  
 23-6           Sec. 8882.101. GENERAL POWERS AND DUTIES. The district has  
 23-7 the rights, powers, privileges, functions, and duties provided by  
 23-8 the general law of this state, including Chapters 36 and 50, Water  
 23-9 Code, applicable to groundwater conservation districts created  
 23-10 under Section 59, Article XVI, Texas Constitution. (Acts 71st  
 23-11 Leg., R.S., Ch. 673, Sec. 6(a) (part).)  
 23-12       CHAPTER 8883. SANTA RITA UNDERGROUND WATER CONSERVATION DISTRICT  
 23-13                       SUBCHAPTER A. GENERAL PROVISIONS  
 23-14       Sec. 8883.001. DEFINITIONS  
 23-15       Sec. 8883.002. NATURE OF DISTRICT  
 23-16       Sec. 8883.003. FINDINGS OF PUBLIC USE AND BENEFIT  
 23-17       Sec. 8883.004. DISTRICT TERRITORY  
 23-18       Sec. 8883.005. OWNERSHIP OF GROUNDWATER AND SURFACE  
 23-19                       WATER RIGHTS  
 23-20                       SUBCHAPTER B. BOARD OF DIRECTORS  
 23-21       Sec. 8883.051. COMPOSITION OF BOARD; TERMS  
 23-22       Sec. 8883.052. ELIGIBILITY AND ELECTION OF DIRECTORS  
 23-23       Sec. 8883.053. ELECTION DATE  
 23-24       Sec. 8883.054. COMPENSATION; EXPENSES  
 23-25                       SUBCHAPTER C. POWERS AND DUTIES  
 23-26       Sec. 8883.101. GENERAL POWERS AND DUTIES  
 23-27       Sec. 8883.102. PAYMENT OF CERTAIN EXPENSES  
 23-28       Sec. 8883.103. APPEARANCE BEFORE RAILROAD COMMISSION  
 23-29       Sec. 8883.104. PROHIBITION: SUPPLY OF WATER  
 23-30       CHAPTER 8883. SANTA RITA UNDERGROUND WATER CONSERVATION DISTRICT  
 23-31                       SUBCHAPTER A. GENERAL PROVISIONS  
 23-32       Sec. 8883.001. DEFINITIONS. In this chapter:  
 23-33                       (1) "Board" means the district's board of directors.  
 23-34                       (2) "Director" means a board member.  
 23-35                       (3) "District" means the Santa Rita Underground Water  
 23-36 Conservation District. (Acts 71st Leg., R.S., Ch. 653, Secs. 1(a)  
 23-37 (part), 2; New.)  
 23-38       Sec. 8883.002. NATURE OF DISTRICT. The district is a  
 23-39 groundwater conservation district in Reagan County created under  
 23-40 and essential to accomplish the purposes of Section 59, Article  
 23-41 XVI, Texas Constitution. (Acts 71st Leg., R.S., Ch. 653, Secs. 1(a)  
 23-42 (part), (b).)  
 23-43       Sec. 8883.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The  
 23-44 district is created to serve a public use and benefit.  
 23-45                       (b) All land and other property included in the district  
 23-46 will benefit from the works and projects accomplished by the  
 23-47 district under the powers conferred by Section 59, Article XVI,  
 23-48 Texas Constitution. (Acts 71st Leg., R.S., Ch. 653, Sec. 5.)  
 23-49       Sec. 8883.004. DISTRICT TERRITORY. (a) Except as provided  
 23-50 by Subsection (b), the district includes the territory in Reagan  
 23-51 County unless the district's territory has been modified under:  
 23-52                       (1) Subchapter J or K, Chapter 36, Water Code; or  
 23-53                       (2) other law.  
 23-54                       (b) The district does not include any territory that was  
 23-55 annexed into the Glasscock County Underground Water Conservation  
 23-56 District under the then applicable annexation provisions of Chapter  
 23-57 51, Water Code, before June 14, 1989. (Acts 71st Leg., R.S., Ch.  
 23-58 653, Secs. 3, 14(a); New.)  
 23-59       Sec. 8883.005. OWNERSHIP OF GROUNDWATER AND SURFACE WATER  
 23-60 RIGHTS. The ownership and rights of the owner of land, the owner's  
 23-61 lessees, and assigns in groundwater and any surface water rights

24-1 are recognized, and this chapter does not deprive or divest the  
 24-2 owner, the owner's lessees, or assigns of those ownership rights.  
 24-3 (Acts 71st Leg., R.S., Ch. 653, Sec. 11(c).)

24-4 SUBCHAPTER B. BOARD OF DIRECTORS

24-5 Sec. 8883.051. COMPOSITION OF BOARD; TERMS. (a) The  
 24-6 district is governed by a board of five directors.

24-7 (b) Directors serve staggered four-year terms. (Acts 71st  
 24-8 Leg., R.S., Ch. 653, Secs. 7(a) (part), (c).)

24-9 Sec. 8883.052. ELIGIBILITY AND ELECTION OF DIRECTORS. (a)  
 24-10 A director must be:

24-11 (1) 18 years of age or older; and

24-12 (2) a resident of the district.

24-13 (b) One director is elected from each county commissioner  
 24-14 precinct. One director is elected at large.

24-15 (c) Section 141.001(a)(5), Election Code, and Section  
 24-16 36.059(b), Water Code, do not apply to the district. (Acts 71st  
 24-17 Leg., R.S., Ch. 653, Secs. 7(a) (part), (f), 10(a).)

24-18 Sec. 8883.053. ELECTION DATE. The district shall hold an  
 24-19 election to elect the appropriate number of directors on the  
 24-20 uniform election date in May of each odd-numbered year or another  
 24-21 date authorized by law. (Acts 71st Leg., R.S., Ch. 653, Sec. 10(b);  
 24-22 New.)

24-23 Sec. 8883.054. COMPENSATION; EXPENSES. (a) Unless the  
 24-24 board by resolution increases the fees of office to an amount  
 24-25 authorized by Section 36.060(a), Water Code, each director is  
 24-26 entitled to receive for the director's services \$25 a month in  
 24-27 compensation.

24-28 (b) Each director may be reimbursed for actual expenses  
 24-29 incurred in the performance of official duties.

24-30 (c) The expenses described by Subsection (b) must be:

24-31 (1) reported in the district's records; and

24-32 (2) approved by the board. (Acts 71st Leg., R.S., Ch.  
 24-33 653, Sec. 11(a); New.)

24-34 SUBCHAPTER C. POWERS AND DUTIES

24-35 Sec. 8883.101. GENERAL POWERS AND DUTIES. The district has  
 24-36 the rights, powers, privileges, functions, and duties provided by  
 24-37 the general law of this state, including Chapter 36, Water Code,  
 24-38 applicable to groundwater conservation districts created under  
 24-39 Section 59, Article XVI, Texas Constitution. (Acts 71st Leg.,  
 24-40 R.S., Ch. 653, Sec. 6(a) (part).)

24-41 Sec. 8883.102. PAYMENT OF CERTAIN EXPENSES. (a) The board  
 24-42 may pay:

24-43 (1) all costs and expenses necessarily incurred in the  
 24-44 creation and organization of the district;

24-45 (2) legal fees; and

24-46 (3) other incidental expenses.

24-47 (b) The board may reimburse a person for money advanced for  
 24-48 a purpose described by Subsection (a). (Acts 71st Leg., R.S., Ch.  
 24-49 653, Sec. 11(d).)

24-50 Sec. 8883.103. APPEARANCE BEFORE RAILROAD COMMISSION. The  
 24-51 district, through the directors or the district's general manager,  
 24-52 may appear before the Railroad Commission of Texas and present  
 24-53 evidence and information relating to a pending permit application  
 24-54 for an injection well to be located in the district. (Acts 71st  
 24-55 Leg., R.S., Ch. 653, Sec. 11(b).)

24-56 Sec. 8883.104. PROHIBITION: SUPPLY OF WATER. The district  
 24-57 may not contract to or take an action to supply groundwater inside  
 24-58 or outside the district. (Acts 71st Leg., R.S., Ch. 653, Sec.  
 24-59 11(e).)

24-60 CHAPTER 8884. SARATOGA UNDERGROUND WATER CONSERVATION DISTRICT

24-61 SUBCHAPTER A. GENERAL PROVISIONS

24-62 Sec. 8884.001. DEFINITIONS

24-63 Sec. 8884.002. NATURE OF DISTRICT

24-64 Sec. 8884.003. FINDINGS OF PUBLIC USE AND BENEFIT

24-65 Sec. 8884.004. DISTRICT TERRITORY

24-66 SUBCHAPTER B. BOARD OF DIRECTORS

24-67 Sec. 8884.051. COMPOSITION OF BOARD; TERMS

24-68 Sec. 8884.052. ELECTION OF DIRECTORS

24-69 Sec. 8884.053. ELECTION DATE

25-1 Sec. 8884.054. QUALIFICATIONS FOR OFFICE  
25-2 SUBCHAPTER C. POWERS AND DUTIES  
25-3 Sec. 8884.101. GENERAL POWERS AND DUTIES  
25-4 CHAPTER 8884. SARATOGA UNDERGROUND WATER CONSERVATION DISTRICT  
25-5 SUBCHAPTER A. GENERAL PROVISIONS  
25-6 Sec. 8884.001. DEFINITIONS. In this chapter:  
25-7 (1) "Board" means the district's board of directors.  
25-8 (2) "Director" means a board member.  
25-9 (3) "District" means the Saratoga Underground Water  
25-10 Conservation District. (Acts 71st Leg., R.S., Ch. 519, Secs. 1(a)  
25-11 (part), 2; New.)  
25-12 Sec. 8884.002. NATURE OF DISTRICT. The district is a  
25-13 groundwater conservation district in Lampasas County created under  
25-14 and essential to accomplish the purposes of Section 59, Article  
25-15 XVI, Texas Constitution. (Acts 71st Leg., R.S., Ch. 519, Secs. 1(a)  
25-16 (part), (b).)  
25-17 Sec. 8884.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The  
25-18 district is created to serve a public use and benefit.  
25-19 (b) All land and other property included in the district  
25-20 will benefit from the works and projects accomplished by the  
25-21 district under the powers conferred by Section 59, Article XVI,  
25-22 Texas Constitution. (Acts 71st Leg., R.S., Ch. 519, Sec. 5.)  
25-23 Sec. 8884.004. DISTRICT TERRITORY. The district includes  
25-24 the territory located in Lampasas County, unless the district's  
25-25 territory has been modified under:  
25-26 (1) Subchapter J or K, Chapter 36, Water Code; or  
25-27 (2) other law. (Acts 71st Leg., R.S., Ch. 519, Sec. 3;  
25-28 New.)  
25-29 SUBCHAPTER B. BOARD OF DIRECTORS  
25-30 Sec. 8884.051. COMPOSITION OF BOARD; TERMS. (a) The  
25-31 district is governed by a board of five elected directors.  
25-32 (b) Directors serve staggered four-year terms. (Acts 71st  
25-33 Leg., R.S., Ch. 519, Secs. 7(a) (part), (b).)  
25-34 Sec. 8884.052. ELECTION OF DIRECTORS. (a) Directors are  
25-35 elected according to the commissioners precinct method as provided  
25-36 by this section.  
25-37 (b) One director is elected by the voters of the entire  
25-38 district. One director is elected from each county commissioners  
25-39 precinct by the voters of that precinct.  
25-40 (c) A person shall indicate on the application for a place  
25-41 on the ballot:  
25-42 (1) the precinct that the person seeks to represent;  
25-43 or  
25-44 (2) that the person seeks to represent the district at  
25-45 large.  
25-46 (d) When the boundaries of the county commissioners  
25-47 precincts are redrawn under Section 18, Article V, Texas  
25-48 Constitution, a director in office on the effective date of the  
25-49 change, or elected or appointed before the effective date of the  
25-50 change to a term of office beginning on or after the effective date  
25-51 of the change, shall serve the term or the remainder of the term  
25-52 representing the precinct from which the person was elected or  
25-53 appointed even though the change in boundaries places the person's  
25-54 residence outside that precinct. (Acts 71st Leg., R.S., Ch. 519,  
25-55 Secs. 7(a) (part), (d), (f), (g).)  
25-56 Sec. 8884.053. ELECTION DATE. The district shall hold an  
25-57 election to elect the appropriate number of directors on the  
25-58 uniform election date in November of each even-numbered year. (Acts  
25-59 71st Leg., R.S., Ch. 519, Sec. 7(c).)  
25-60 Sec. 8884.054. QUALIFICATIONS FOR OFFICE. (a) Except as  
25-61 provided by Section 8884.052(d), to be eligible to be a candidate  
25-62 for or to serve as director at large, a person must be a registered  
25-63 voter of the district.  
25-64 (b) To be a candidate for or to serve as director from a  
25-65 county commissioners precinct, a person must be a registered voter  
25-66 of that precinct. (Acts 71st Leg., R.S., Ch. 519, Sec. 7(e).)  
25-67 SUBCHAPTER C. POWERS AND DUTIES  
25-68 Sec. 8884.101. GENERAL POWERS AND DUTIES. The district has  
25-69 the rights, powers, privileges, functions, and duties provided by

26-1 the general law of this state, including Chapters 36 and 50, Water  
26-2 Code, applicable to groundwater conservation districts created  
26-3 under Section 59, Article XVI, Texas Constitution. (Acts 71st Leg.,  
26-4 R.S., Ch. 519, Sec. 6(a) (part).)

26-5 CHAPTER 8885. SOUTH PLAINS UNDERGROUND WATER CONSERVATION DISTRICT  
26-6 SUBCHAPTER A. GENERAL PROVISIONS

26-7 Sec. 8885.001. DEFINITIONS  
26-8 Sec. 8885.002. NATURE OF DISTRICT  
26-9 Sec. 8885.003. FINDINGS OF PUBLIC USE AND BENEFIT  
26-10 Sec. 8885.004. DISTRICT TERRITORY

26-11 SUBCHAPTER B. BOARD OF DIRECTORS  
26-12 Sec. 8885.051. COMPOSITION OF BOARD; TERMS  
26-13 Sec. 8885.052. ELECTION OF DIRECTORS  
26-14 Sec. 8885.053. ELECTION DATE  
26-15 Sec. 8885.054. QUALIFICATIONS FOR OFFICE  
26-16 Sec. 8885.055. BOARD VACANCY

26-17 SUBCHAPTER C. POWERS AND DUTIES  
26-18 Sec. 8885.101. GENERAL POWERS AND DUTIES

26-19 CHAPTER 8885. SOUTH PLAINS UNDERGROUND WATER CONSERVATION DISTRICT  
26-20 SUBCHAPTER A. GENERAL PROVISIONS

26-21 Sec. 8885.001. DEFINITIONS. In this chapter:  
26-22 (1) "Board" means the district's board of directors.  
26-23 (2) "Director" means a board member.  
26-24 (3) "District" means the South Plains Underground  
26-25 Water Conservation District. (Acts 72nd Leg., R.S., Ch. 46,  
26-26 Secs. 1(a) (part), 2; New.)

26-27 Sec. 8885.002. NATURE OF DISTRICT. The district is a  
26-28 groundwater conservation district in Terry County created under and  
26-29 essential to accomplish the purposes of Section 59, Article XVI,  
26-30 Texas Constitution. (Acts 72nd Leg., R.S., Ch. 46, Secs. 1(a)  
26-31 (part), (b).)

26-32 Sec. 8885.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The  
26-33 district is created to serve a public use and benefit.  
26-34 (b) All land and other property included in the district  
26-35 will benefit from the works and projects accomplished by the  
26-36 district under the powers conferred by Section 59, Article XVI,  
26-37 Texas Constitution. (Acts 72nd Leg., R.S., Ch. 46, Sec. 4.)

26-38 Sec. 8885.004. DISTRICT TERRITORY. The district's  
26-39 boundaries are coextensive with the boundaries of Terry County,  
26-40 unless the district's territory has been modified under:  
26-41 (1) Subchapter J or K, Chapter 36, Water Code; or  
26-42 (2) other law. (Acts 72nd Leg., R.S., Ch. 46, Sec. 3;  
26-43 New.)

26-44 SUBCHAPTER B. BOARD OF DIRECTORS

26-45 Sec. 8885.051. COMPOSITION OF BOARD; TERMS. (a) The  
26-46 district is governed by a board of five directors.  
26-47 (b) Directors serve staggered four-year terms. (Acts 72nd  
26-48 Leg., R.S., Ch. 46, Secs. 7(a), 8(c).)

26-49 Sec. 8885.052. ELECTION OF DIRECTORS. (a) Directors are  
26-50 elected according to the commissioners precinct method as provided  
26-51 by this section.  
26-52 (b) One director is elected by the voters of the entire  
26-53 district. One director is elected from each county commissioners  
26-54 precinct by the voters of that precinct.  
26-55 (c) A person shall indicate on the application for a place  
26-56 on the ballot:  
26-57 (1) the precinct that the person seeks to represent;  
26-58 or  
26-59 (2) that the person seeks to represent the district at  
26-60 large.  
26-61 (d) At the first election after the county commissioners  
26-62 precincts are redrawn under Section 18, Article V, Texas  
26-63 Constitution, four new directors shall be elected to represent the  
26-64 precincts. The directors shall draw lots to determine their terms.  
26-65 (Acts 72nd Leg., R.S., Ch. 46, Sec. 6.)

26-66 Sec. 8885.053. ELECTION DATE. The district shall hold an  
26-67 election to elect the appropriate number of directors on the  
26-68 uniform election date in May of each even-numbered year or another  
26-69 date authorized by law. (Acts 72nd Leg., R.S., Ch. 46, Sec. 11;

27-1 New.)  
 27-2 Sec. 8885.054. QUALIFICATIONS FOR OFFICE. To be eligible  
 27-3 to serve as director, a person must be a registered voter in:  
 27-4 (1) the precinct from which the person is elected or  
 27-5 appointed if representing a precinct; or  
 27-6 (2) the district if representing the district at  
 27-7 large. (Acts 72nd Leg., R.S., Ch. 46, Sec. 7(c).)  
 27-8 Sec. 8885.055. BOARD VACANCY. (a) The board shall appoint a  
 27-9 replacement to fill a vacancy in the office of any director.  
 27-10 (b) The appointed replacement serves until the next  
 27-11 directors' election.  
 27-12 (c) If the position is not scheduled to be filled at the  
 27-13 election, the person elected to fill the position serves only for  
 27-14 the remainder of the unexpired term. (Acts 72nd Leg., R.S., Ch. 46,  
 27-15 Sec. 7(b).)  
 27-16 SUBCHAPTER C. POWERS AND DUTIES  
 27-17 Sec. 8885.101. GENERAL POWERS AND DUTIES. The district has  
 27-18 the rights, powers, privileges, functions, and duties provided by  
 27-19 the general law of this state, including Chapter 36, Water Code,  
 27-20 applicable to groundwater conservation districts created under  
 27-21 Section 59, Article XVI, Texas Constitution. (Acts 72nd Leg.,  
 27-22 R.S., Ch. 46, Sec. 5(a) (part).)  
 27-23 CHAPTER 8886. SUTTON COUNTY UNDERGROUND WATER CONSERVATION  
 27-24 DISTRICT  
 27-25 SUBCHAPTER A. GENERAL PROVISIONS  
 27-26 Sec. 8886.001. DEFINITIONS  
 27-27 Sec. 8886.002. NATURE OF DISTRICT  
 27-28 Sec. 8886.003. FINDINGS OF PUBLIC USE AND BENEFIT  
 27-29 Sec. 8886.004. CONFLICTS OF LAW  
 27-30 SUBCHAPTER B. TERRITORY  
 27-31 Sec. 8886.051. DISTRICT TERRITORY  
 27-32 Sec. 8886.052. LAND EXCLUSION  
 27-33 Sec. 8886.053. ANNEXATION OF TERRITORY  
 27-34 SUBCHAPTER C. BOARD OF DIRECTORS  
 27-35 Sec. 8886.101. COMPOSITION OF BOARD; TERMS  
 27-36 Sec. 8886.102. ELECTION OF DIRECTORS  
 27-37 Sec. 8886.103. ELECTION DATE  
 27-38 Sec. 8886.104. QUALIFICATIONS FOR OFFICE  
 27-39 SUBCHAPTER D. POWERS AND DUTIES  
 27-40 Sec. 8886.151. GENERAL POWERS AND DUTIES  
 27-41 Sec. 8886.152. ADMINISTRATIVE PROCEDURES  
 27-42 Sec. 8886.153. WELL PERMITS  
 27-43 Sec. 8886.154. WELL SPACING AND PRODUCTION  
 27-44 Sec. 8886.155. LOGS  
 27-45 Sec. 8886.156. AVAILABLE GROUNDWATER  
 27-46 Sec. 8886.157. SURVEYS  
 27-47 Sec. 8886.158. RESEARCH AND DETERMINATIONS REGARDING  
 27-48 GROUNDWATER WITHDRAWAL  
 27-49 Sec. 8886.159. COLLECTION AND PRESERVATION OF  
 27-50 INFORMATION  
 27-51 Sec. 8886.160. CONTRACT FOR SALE AND DISTRIBUTION OF  
 27-52 WATER  
 27-53 Sec. 8886.161. ACQUISITION OF LAND  
 27-54 Sec. 8886.162. ELECTIONS  
 27-55 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
 27-56 Sec. 8886.201. TAX AND BOND PROVISIONS  
 27-57 SUBCHAPTER F. DISSOLUTION OF DISTRICT  
 27-58 Sec. 8886.251. DISSOLUTION OF DISTRICT  
 27-59 CHAPTER 8886. SUTTON COUNTY UNDERGROUND WATER CONSERVATION  
 27-60 DISTRICT  
 27-61 SUBCHAPTER A. GENERAL PROVISIONS  
 27-62 Sec. 8886.001. DEFINITIONS. In this chapter:  
 27-63 (1) "Board" means the district's board of directors.  
 27-64 (2) "Director" means a board member.  
 27-65 (3) "District" means the Sutton County Underground  
 27-66 Water Conservation District. (Acts 69th Leg., R.S., Ch. 377, Sec.  
 27-67 3; New.)  
 27-68 Sec. 8886.002. NATURE OF DISTRICT. The district is created  
 27-69 under Section 59, Article XVI, Texas Constitution, to provide for

28-1 the conservation, preservation, protection, recharge, and  
28-2 prevention of waste of the groundwater reservoirs located under  
28-3 district land, consistent with the objectives of Section 59,  
28-4 Article XVI, Texas Constitution, and Chapters 36 and 51, Water  
28-5 Code. (Acts 69th Leg., R.S., Ch. 377, Secs. 1 (part), 6.)

28-6 Sec. 8886.003. FINDINGS OF PUBLIC USE AND BENEFIT. The  
28-7 legislature finds that:

28-8 (1) the organization of the district is feasible and  
28-9 practicable;

28-10 (2) the land to be included in and the residents of the  
28-11 district will benefit from the creation of the district;

28-12 (3) there is a public necessity for the district; and

28-13 (4) the creation of the district will further the  
28-14 public welfare. (Acts 69th Leg., R.S., Ch. 377, Sec. 4.)

28-15 Sec. 8886.004. CONFLICTS OF LAW. (a) Except as otherwise  
28-16 provided by this chapter, if there is a conflict between this  
28-17 chapter and Chapter 49, 51, or 36, Water Code, this chapter  
28-18 controls.

28-19 (b) If there is a conflict between Chapter 49 or 51, Water  
28-20 Code, and Chapter 36, Water Code, Chapter 36 controls. (Acts 69th  
28-21 Leg., R.S., Ch. 377, Sec. 17.)

28-22 SUBCHAPTER B. TERRITORY

28-23 Sec. 8886.051. DISTRICT TERRITORY. The district is  
28-24 composed of the territory in Sutton County, other than the  
28-25 territory in Sections 60, 67, and 90, Block No. A, HE&WTRYCoSurvey,  
28-26 Sutton County, unless the district's territory has been modified  
28-27 under:

28-28 (1) Section 8886.052 or 8886.053 of this chapter or  
28-29 their predecessor statutes, former Section 11 or 14, Chapter 377,  
28-30 Acts of the 69th Legislature, Regular Session, 1985; or

28-31 (2) other law. (Acts 69th Leg., R.S., Ch. 377, Sec. 5;  
28-32 New.)

28-33 Sec. 8886.052. LAND EXCLUSION. Land may be excluded from  
28-34 the district in accordance with the procedures prescribed in  
28-35 Sections 49.303-49.308, Water Code. (Acts 69th Leg., R.S., Ch.  
28-36 377, Sec. 11.)

28-37 Sec. 8886.053. ANNEXATION OF TERRITORY. (a) Territory may  
28-38 be added to the district as provided by:

28-39 (1) Subchapter J, Chapter 49, Water Code; or

28-40 (2) Subchapter O, Chapter 51, Water Code.

28-41 (b) If the district annexes territory, the board shall  
28-42 determine the precincts to which annexed territory is added for the  
28-43 purpose of electing directors. (Acts 69th Leg., R.S., Ch. 377, Sec.  
28-44 14; New.)

28-45 SUBCHAPTER C. BOARD OF DIRECTORS

28-46 Sec. 8886.101. COMPOSITION OF BOARD; TERMS. (a) The  
28-47 district is governed by a board of five directors.

28-48 (b) The directors serve staggered four-year terms. (Acts  
28-49 69th Leg., R.S., Ch. 377, Secs. 15(a), (f); Acts 72nd Leg., R.S.,  
28-50 Ch. 757, Sec. 3(b) (part).)

28-51 Sec. 8886.102. ELECTION OF DIRECTORS. One director is  
28-52 elected from each county commissioners precinct in Sutton County.  
28-53 One director is elected at large. (Acts 69th Leg., R.S., Ch. 377,  
28-54 Sec. 15(c).)

28-55 Sec. 8886.103. ELECTION DATE. The district shall hold an  
28-56 election to elect directors on the uniform election date in May of  
28-57 each odd-numbered year or another date authorized by law. (Acts  
28-58 69th Leg., R.S., Ch. 377, Sec. 15(e); New.)

28-59 Sec. 8886.104. QUALIFICATIONS FOR OFFICE. (a) To be  
28-60 qualified for election as a director, a person must be:

28-61 (1) a resident of the district; and

28-62 (2) at least 18 years of age.

28-63 (b) To be qualified for election as a director from a  
28-64 precinct, a person must be a resident of the precinct from which the  
28-65 person is elected. (Acts 69th Leg., R.S., Ch. 377, Secs. 15(b),  
28-66 (d).)

28-67 SUBCHAPTER D. POWERS AND DUTIES

28-68 Sec. 8886.151. GENERAL POWERS AND DUTIES. Except as  
28-69 otherwise provided by this chapter, the district may exercise:

29-1 (1) the powers essential to accomplish the purposes of  
 29-2 Section 59, Article XVI, Texas Constitution; and  
 29-3 (2) the rights, powers, and functions provided by this  
 29-4 chapter and Chapters 36 and 51, Water Code. (Acts 69th Leg., R.S.,  
 29-5 Ch. 377, Sec. 2.)  
 29-6 Sec. 8886.152. ADMINISTRATIVE PROCEDURES. Except as  
 29-7 otherwise provided by this chapter, the administrative and  
 29-8 procedural provisions of Chapters 36 and 51, Water Code, apply to  
 29-9 the district. (Acts 69th Leg., R.S., Ch. 377, Sec. 8.)  
 29-10 Sec. 8886.153. WELL PERMITS. (a) The board may:  
 29-11 (1) require a permit for drilling, equipping, or  
 29-12 completing a well in a groundwater reservoir in the district; and  
 29-13 (2) issue a permit that imposes terms relating to  
 29-14 drilling, equipping, or completing a well that are necessary to  
 29-15 prevent waste or conserve, preserve, and protect groundwater.  
 29-16 (b) The board may not deny an owner of land, or the owner's  
 29-17 heirs, assigns, and lessees, a permit to drill a well on that land  
 29-18 or the right to produce groundwater from that well, subject to rules  
 29-19 adopted under this chapter. (Acts 69th Leg., R.S., Ch. 377, Secs.  
 29-20 7(b), (c) (part).)  
 29-21 Sec. 8886.154. WELL SPACING AND PRODUCTION. To minimize as  
 29-22 far as practicable the drawdown of the water table or the reduction  
 29-23 of the artesian pressure, the board may provide for spacing wells  
 29-24 that are producing water from a groundwater reservoir in the  
 29-25 district and may regulate the production from those wells. (Acts  
 29-26 69th Leg., R.S., Ch. 377, Sec. 7(c) (part).)  
 29-27 Sec. 8886.155. LOGS. The board may require that:  
 29-28 (1) accurate driller's logs be kept of wells in any  
 29-29 groundwater reservoir in the district; and  
 29-30 (2) a copy of driller's logs and of any electric logs  
 29-31 that are made of the wells be filed with the district. (Acts 69th  
 29-32 Leg., R.S., Ch. 377, Sec. 7(d) (part).)  
 29-33 Sec. 8886.156. AVAILABLE GROUNDWATER. The board shall  
 29-34 determine the quantity of the groundwater available for production  
 29-35 and use and the improvements, developments, and recharges that will  
 29-36 be necessary for any groundwater reservoirs in the district. (Acts  
 29-37 69th Leg., R.S., Ch. 377, Sec. 7(f) (part).)  
 29-38 Sec. 8886.157. SURVEYS. The board may have a licensed  
 29-39 engineer survey the groundwater of any groundwater reservoir in the  
 29-40 district and the facilities for the development, production, and  
 29-41 use of groundwater from any reservoir in the district. (Acts 69th  
 29-42 Leg., R.S., Ch. 377, Sec. 7(f) (part).)  
 29-43 Sec. 8886.158. RESEARCH AND DETERMINATIONS REGARDING  
 29-44 GROUNDWATER WITHDRAWAL. The district may carry out research  
 29-45 projects, develop information, and determine limitations, if any,  
 29-46 that should be placed on the withdrawal of groundwater. (Acts 69th  
 29-47 Leg., R.S., Ch. 377, Sec. 7(h).)  
 29-48 Sec. 8886.159. COLLECTION AND PRESERVATION OF INFORMATION.  
 29-49 The district may collect and preserve information regarding the use  
 29-50 of the groundwater and the practicability of recharge of a  
 29-51 groundwater reservoir in the district. (Acts 69th Leg., R.S., Ch.  
 29-52 377, Sec. 7(i).)  
 29-53 Sec. 8886.160. CONTRACT FOR SALE AND DISTRIBUTION OF WATER.  
 29-54 The district may contract for, sell, and distribute water from a  
 29-55 water import authority or other agency. (Acts 69th Leg., R.S., Ch.  
 29-56 377, Sec. 7(k).)  
 29-57 Sec. 8886.161. ACQUISITION OF LAND. The board may acquire  
 29-58 land to:  
 29-59 (1) erect a dam;  
 29-60 (2) drain a lake, draw, depression, or creek; and  
 29-61 (3) install pumps and other equipment necessary to  
 29-62 recharge a groundwater reservoir in the district. (Acts 69th Leg.,  
 29-63 R.S., Ch. 377, Sec. 7(e).)  
 29-64 Sec. 8886.162. ELECTIONS. The district shall conduct  
 29-65 elections in the manner provided by Chapter 51, Water Code. (Acts  
 29-66 69th Leg., R.S., Ch. 377, Sec. 16 (part).)  
 29-67 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
 29-68 Sec. 8886.201. TAX AND BOND PROVISIONS. (a) Except as  
 29-69 otherwise provided by this chapter, the tax and bond provisions of

30-1 Chapters 36 and 51, Water Code, apply to the district.

30-2 (b) On approval of the majority of the voters in an election  
30-3 called for that purpose, the district may impose an ad valorem tax  
30-4 to pay the principal of and interest on bonds and to maintain the  
30-5 district. The tax approved under this subsection may not exceed  
30-6 five cents on each \$100 of assessed valuation.

30-7 (c) At a regular meeting of the board, if the board  
30-8 determines that the tax imposed under Subsection (b) is no longer  
30-9 sufficient for the purposes stated in that subsection, the board  
30-10 may call an election to be held to approve the imposition of an ad  
30-11 valorem tax in excess of the limitation provided by Subsection (b).  
30-12 If a majority of the voters approve the imposition of taxes in  
30-13 excess of the limitation provided by Subsection (b), the district  
30-14 may impose taxes in the amount approved by the voters at the  
30-15 election called and held under this subsection. (Acts 69th Leg.,  
30-16 R.S., Ch. 377, Secs. 12(a), (b) (part), (c).)

#### 30-17 SUBCHAPTER F. DISSOLUTION OF DISTRICT

30-18 Sec. 8886.251. DISSOLUTION OF DISTRICT. The district may  
30-19 be dissolved as provided by Chapter 36, Water Code. (Acts 69th  
30-20 Leg., R.S., Ch. 377, Sec. 13.)

#### 30-21 CHAPTER 8887. NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT

##### 30-22 SUBCHAPTER A. GENERAL PROVISIONS

30-23 Sec. 8887.001. DEFINITIONS

30-24 Sec. 8887.002. NATURE OF DISTRICT

30-25 Sec. 8887.003. FINDING OF BENEFIT

30-26 Sec. 8887.004. DISTRICT TERRITORY

##### 30-27 SUBCHAPTER B. BOARD OF DIRECTORS

30-28 Sec. 8887.051. TERMS

30-29 Sec. 8887.052. ELECTION DATE

##### 30-30 SUBCHAPTER C. POWERS AND DUTIES

30-31 Sec. 8887.101. GENERAL POWERS AND DUTIES

30-32 Sec. 8887.102. WELL PERMITS

30-33 Sec. 8887.103. WELL SPACING AND PRODUCTION

30-34 Sec. 8887.104. RECORDS AND REPORTS

30-35 Sec. 8887.105. LOGS

30-36 Sec. 8887.106. SURVEYS

30-37 Sec. 8887.107. RESEARCH AND DETERMINATIONS REGARDING  
30-38 GROUNDWATER WITHDRAWAL

30-39 Sec. 8887.108. COLLECTION AND PRESERVATION OF  
30-40 INFORMATION

30-41 Sec. 8887.109. RULES: PREVENTION OF WASTE

##### 30-42 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

30-43 Sec. 8887.151. LIMITATION ON MAINTENANCE AND OPERATION  
30-44 TAX

30-45 Sec. 8887.152. MAINTENANCE AND OPERATION TAX ELECTION

30-46 Sec. 8887.153. DISTRICT DEBT

#### 30-47 CHAPTER 8887. NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT

##### 30-48 SUBCHAPTER A. GENERAL PROVISIONS

30-49 Sec. 8887.001. DEFINITIONS. In this chapter:

30-50 (1) "Board" means the district's board of directors.

30-51 (2) "Director" means a board member.

30-52 (3) "District" means the North Plains Groundwater  
30-53 Conservation District. (Acts 54th Leg., R.S., Ch. 498, Sec. 2  
30-54 (part); New.)

30-55 Sec. 8887.002. NATURE OF DISTRICT. The district is a  
30-56 groundwater conservation district created under Section 59,  
30-57 Article XVI, Texas Constitution. (Acts 54th Leg., R.S., Ch. 498,  
30-58 Secs. 1 (part), 4 (part).)

30-59 Sec. 8887.003. FINDING OF BENEFIT. (a) All land and other  
30-60 property in the district benefit from the:

30-61 (1) creation of the district;

30-62 (2) carrying out of the purposes for which the  
30-63 district was created; and

30-64 (3) acquisition and construction of improvements to  
30-65 carry out those purposes.

30-66 (b) The district is necessary to carry out the purposes of  
30-67 Section 59, Article XVI, Texas Constitution. (Acts 54th Leg.,  
30-68 R.S., Ch. 498, Sec. 4 (part).)

30-69 Sec. 8887.004. DISTRICT TERRITORY. The district is

31-1 composed of the territory described by Section 1, Chapter 498, Acts  
 31-2 of the 54th Legislature, Regular Session, 1955, as that territory  
 31-3 may have been modified under:

- 31-4 (1) Subchapter J or K, Chapter 36, Water Code; or  
 31-5 (2) other law. (Acts 54th Leg., R.S., Ch. 498, Sec. 1  
 31-6 (part); New.)

#### 31-7 SUBCHAPTER B. BOARD OF DIRECTORS

31-8 Sec. 8887.051. TERMS. Directors serve staggered four-year  
 31-9 terms. (Acts 54th Leg., R.S., Ch. 498, Sec. 1A(a).)

31-10 Sec. 8887.052. ELECTION DATE. The district shall hold an  
 31-11 election to elect the appropriate number of directors on a uniform  
 31-12 election date in each even-numbered year. (Acts 54th Leg., R.S.,  
 31-13 Ch. 498, Sec. 1A(b).)

#### 31-14 SUBCHAPTER C. POWERS AND DUTIES

31-15 Sec. 8887.101. GENERAL POWERS AND DUTIES. The district has  
 31-16 all of the rights, powers, privileges, and duties provided by  
 31-17 general law applicable to groundwater conservation districts  
 31-18 created under Section 59, Article XVI, Texas Constitution, and  
 31-19 Chapter 36, Water Code. (Acts 54th Leg., R.S., Ch. 498, Sec. 2  
 31-20 (part).)

31-21 Sec. 8887.102. WELL PERMITS. (a) The district may:

31-22 (1) require a permit for drilling, equipping, or  
 31-23 completing a well in a groundwater reservoir in the district; and

31-24 (2) issue a permit subject to terms relating to  
 31-25 drilling, equipping, or completing a well that are necessary to  
 31-26 prevent waste or contamination.

31-27 (b) The district may not deny an owner of land, or the  
 31-28 owner's heirs, assigns, and lessees, a permit to drill a well on  
 31-29 that land or to produce groundwater from that well subject to rules  
 31-30 adopted to prevent waste or contamination. (Acts 54th Leg., R.S.,  
 31-31 Ch. 498, Sec. 2 (part).)

31-32 Sec. 8887.103. WELL SPACING AND PRODUCTION. To minimize as  
 31-33 far as practicable the drawdown of the water table or the reduction  
 31-34 of the artesian pressure, the district may provide for the spacing  
 31-35 of wells producing from a groundwater reservoir or a subdivision of  
 31-36 a groundwater reservoir in the district and regulate the production  
 31-37 from those wells. (Acts 54th Leg., R.S., Ch. 498, Sec. 2 (part).)

31-38 Sec. 8887.104. RECORDS AND REPORTS. The district may  
 31-39 require that records be kept and reports be made of the drilling,  
 31-40 equipping, and completion of a well in a groundwater reservoir or a  
 31-41 subdivision of a groundwater reservoir in the district and the  
 31-42 taking and use of groundwater from those reservoirs or subdivisions  
 31-43 of those reservoirs. (Acts 54th Leg., R.S., Ch. 498, Sec. 2  
 31-44 (part).)

31-45 Sec. 8887.105. LOGS. The district may require that:

31-46 (1) accurate driller's logs be kept of the drilling,  
 31-47 equipping, and completion of a well in a groundwater reservoir or a  
 31-48 subdivision of a groundwater reservoir in the district; and

31-49 (2) a copy of a driller's log and of any electric log  
 31-50 that is made of the well be filed with the district. (Acts 54th  
 31-51 Leg., R.S., Ch. 498, Sec. 2 (part).)

31-52 Sec. 8887.106. SURVEYS. The district may have a licensed  
 31-53 engineer or qualified groundwater scientist survey the groundwater  
 31-54 of a groundwater reservoir or a subdivision of a groundwater  
 31-55 reservoir in the district and the facilities for the development,  
 31-56 production, and use of that groundwater to determine the:

31-57 (1) quantity of the groundwater available for  
 31-58 production and use; and

31-59 (2) improvements, developments, and recharges needed  
 31-60 for the groundwater reservoir or subdivision of a groundwater  
 31-61 reservoir. (Acts 54th Leg., R.S., Ch. 498, Sec. 2 (part).)

31-62 Sec. 8887.107. RESEARCH AND DETERMINATIONS REGARDING  
 31-63 GROUNDWATER WITHDRAWAL. The district may carry out research  
 31-64 projects, develop information, and determine limitations, if any,  
 31-65 that should be made on the withdrawal of water from a groundwater  
 31-66 reservoir or a subdivision of a groundwater reservoir in the  
 31-67 district. (Acts 54th Leg., R.S., Ch. 498, Sec. 2 (part).)

31-68 Sec. 8887.108. COLLECTION AND PRESERVATION OF INFORMATION.  
 31-69 The district may collect and preserve information regarding the use

32-1 of groundwater and the practicability of recharge of a groundwater  
32-2 reservoir or a subdivision of a groundwater reservoir in the  
32-3 district. (Acts 54th Leg., R.S., Ch. 498, Sec. 2 (part).)  
32-4 Sec. 8887.109. RULES: PREVENTION OF WASTE. (a) In this  
32-5 section, "waste" has the meaning assigned by Section 36.001, Water  
32-6 Code.  
32-7 (b) The district may adopt and enforce rules to prevent the  
32-8 waste of the groundwater of any groundwater reservoir or  
32-9 subdivision of a groundwater reservoir in the district. (Acts 54th  
32-10 Leg., R.S., Ch. 498, Sec. 2 (part).)  
32-11 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
32-12 Sec. 8887.151. LIMITATION ON MAINTENANCE AND OPERATION TAX.  
32-13 To pay the maintenance and operating expenses of the district,  
32-14 including the maintenance of its installations and activities, the  
32-15 district may impose ad valorem taxes annually at a rate not to  
32-16 exceed five cents on each \$100 of assessed valuation on property in  
32-17 the district subject to taxation. (Acts 54th Leg., R.S., Ch. 498,  
32-18 Sec. 2 (part).)  
32-19 Sec. 8887.152. MAINTENANCE AND OPERATION TAX ELECTION. The  
32-20 district may order an election to impose taxes for the maintenance  
32-21 of the district and its installations and activities. The election  
32-22 must be held as is provided for elections authorizing the issuance  
32-23 of bonds. (Acts 54th Leg., R.S., Ch. 498, Sec. 2 (part).)  
32-24 Sec. 8887.153. DISTRICT DEBT. The district may incur all  
32-25 indebtedness necessary to the achievement of the purposes for which  
32-26 the district is created. (Acts 54th Leg., R.S., Ch. 498, Sec. 2  
32-27 (part).)  
32-28 CHAPTER 8888. NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY  
32-29 SUBCHAPTER A. GENERAL PROVISIONS  
32-30 Sec. 8888.001. DEFINITIONS  
32-31 Sec. 8888.002. NATURE OF AUTHORITY  
32-32 Sec. 8888.003. FINDINGS OF PUBLIC USE AND BENEFIT  
32-33 Sec. 8888.004. DISTRICTS IN AUTHORITY'S BOUNDARIES  
32-34 Sec. 8888.005. APPLICABILITY OF OTHER LAW  
32-35 SUBCHAPTER B. TERRITORY  
32-36 Sec. 8888.051. AUTHORITY TERRITORY  
32-37 Sec. 8888.052. LOCAL GOVERNMENT ANNEXATION  
32-38 Sec. 8888.053. ADDITION OF WATER SYSTEM SERVICE AREA  
32-39 Sec. 8888.054. INCLUSION OF CERTAIN TERRITORY  
32-40 SUBCHAPTER C. AUTHORITY ADMINISTRATION  
32-41 Sec. 8888.101. COMPOSITION OF BOARD  
32-42 Sec. 8888.102. ELECTION OF DIRECTORS  
32-43 Sec. 8888.103. ELECTION DATE  
32-44 Sec. 8888.104. QUALIFICATION FOR OFFICE  
32-45 Sec. 8888.105. BOARD VACANCY  
32-46 Sec. 8888.106. MEETINGS  
32-47 Sec. 8888.107. GENERAL MANAGER  
32-48 Sec. 8888.108. EMPLOYEES  
32-49 Sec. 8888.109. FIDELITY BOND  
32-50 SUBCHAPTER D. POWERS AND DUTIES  
32-51 Sec. 8888.151. GENERAL POWERS AND DUTIES  
32-52 Sec. 8888.152. ADDITIONAL POWERS  
32-53 Sec. 8888.153. AUTHORITY RULES  
32-54 Sec. 8888.154. FEES, RATES, AND CHARGES  
32-55 Sec. 8888.155. FEE AMOUNTS  
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- 33-1 Sec. 8888.167. CONDITIONAL APPROVAL OF CONSTRUCTION
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- 33-4 DELIVERED
- 33-5 Sec. 8888.169. EFFECT OF MUNICIPAL ANNEXATION ON FEES
- 33-6 AND SERVICES
- 33-7 Sec. 8888.170. CIVIL PENALTY; CIVIL ACTION; INJUNCTION
- 33-8 Sec. 8888.171. EMINENT DOMAIN
- 33-9 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS
- 33-10 Sec. 8888.201. GIFT OR GRANT FROM SUBSIDENCE DISTRICT
- 33-11 Sec. 8888.202. AUTHORIZATION OF DISBURSEMENT
- 33-12 Sec. 8888.203. AD VALOREM TAX PROHIBITED
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- 33-14 SUBCHAPTER F. NOTES AND BONDS
- 33-15 Sec. 8888.251. REVENUE NOTES
- 33-16 Sec. 8888.252. REVENUE AND BOND ANTICIPATION NOTES
- 33-17 Sec. 8888.253. BONDS AND NOTES
- 33-18 Sec. 8888.254. BONDS SECURED BY CONTRACT PROCEEDS:
- 33-19 APPROVAL
- 33-20 Sec. 8888.255. REFUNDING BONDS
- 33-21 Sec. 8888.256. VALIDITY OF BONDS AFTER ADDITION OF
- 33-22 TERRITORY
- 33-23 CHAPTER 8888. NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY
- 33-24 SUBCHAPTER A. GENERAL PROVISIONS
- 33-25 Sec. 8888.001. DEFINITIONS. In this chapter:
- 33-26 (1) "Agricultural crop" means:
- 33-27 (A) a food or fiber commodity grown for resale or
- 33-28 commercial purposes that provides food, clothing, or animal feed;
- 33-29 or
- 33-30 (B) a nursery product or florist item that is in
- 33-31 the possession of a nursery grower.
- 33-32 (2) "Authority" means the North Harris County Regional
- 33-33 Water Authority.
- 33-34 (3) "Board" means the authority's board of directors.
- 33-35 (4) "Commission" means the Texas Commission on
- 33-36 Environmental Quality.
- 33-37 (5) "Director" means a member of the board.
- 33-38 (6) "Florist item" means a cut flower, potted plant,
- 33-39 blooming plant, inside foliage plant, bedding plant, corsage
- 33-40 flower, cut foliage, floral decoration, or live decorative
- 33-41 material.
- 33-42 (7) "Groundwater reduction plan" means a plan adopted
- 33-43 or implemented to supply water, reduce reliance on groundwater,
- 33-44 regulate groundwater pumping and water usage, or require and
- 33-45 allocate water usage among persons in order to comply with or exceed
- 33-46 the minimum requirements imposed by the subsidence district,
- 33-47 including any applicable groundwater reduction requirements.
- 33-48 (8) "Local government" means a municipality, county,
- 33-49 special district, or other political subdivision of this state or a
- 33-50 combination of two or more of those entities.
- 33-51 (9) "Nursery grower" means a person who grows, in any
- 33-52 medium, more than 50 percent of the nursery products or florist
- 33-53 items that the person sells or leases, regardless of the variety
- 33-54 sold, leased, or grown. For the purposes of this definition, "grow"
- 33-55 means the actual cultivation or propagation of the nursery product
- 33-56 or florist item beyond the mere holding or maintaining of the item
- 33-57 before sale or lease and typically includes activities associated
- 33-58 with the production or multiplying of stock such as the development
- 33-59 of new plants from cuttings, grafts, plugs, or seedlings.
- 33-60 (10) "Nursery product" includes a tree, shrub, vine,
- 33-61 cutting, graft, scion, grass, bulb, or bud that is grown for, kept
- 33-62 for, or capable of propagation and distribution for sale or lease.
- 33-63 (11) "Subsidence" means the lowering in elevation of
- 33-64 the surface of land by the withdrawal of groundwater.
- 33-65 (12) "Subsidence district" means the Harris-Galveston
- 33-66 Subsidence District.
- 33-67 (13) "System" means a network of pipelines, conduits,
- 33-68 canals, pumping stations, force mains, and treatment plants, and
- 33-69 any other construction, device, or related appurtenance, used to

34-1 treat or transport water.

34-2 (14) "Water" includes:

34-3 (A) groundwater, percolating or otherwise;

34-4 (B) any surface water, natural or artificial,

34-5 navigable or nonnavigable; and

34-6 (C) industrial and municipal wastewater. (Acts

34-7 76th Leg., R.S., Ch. 1029, Secs. 1.01(a) (part), 1.02(1), (2), (3),

34-8 (4), (5), (7), (8), (9), (10), (11), (12) as added Acts 77th Leg.,

34-9 R.S., Ch. 232, (12) as added Acts 77th Leg., R.S., Ch. 1296, (13),

34-10 (14).)

34-11 Sec. 8888.002. NATURE OF AUTHORITY. The authority is a

34-12 regional water authority in Harris County created under and

34-13 essential to accomplish the purposes of Section 59, Article XVI,

34-14 Texas Constitution. (Acts 76th Leg., R.S., Ch. 1029, Secs. 1.01(a)

34-15 (part), (b).)

34-16 Sec. 8888.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The

34-17 authority is created to serve a public use and benefit.

34-18 (b) All land and other property included in the authority

34-19 will benefit from the works and projects accomplished by the

34-20 authority under the powers provided by this chapter. (Acts 76th

34-21 Leg., R.S., Ch. 1029, Sec. 1.06.)

34-22 Sec. 8888.004. DISTRICTS IN AUTHORITY'S BOUNDARIES. A

34-23 district in the authority's boundaries retains the district's

34-24 separate identity, powers, and duties. The district is subject to

34-25 the authority's powers and duties, including those powers and

34-26 duties necessary to develop, implement, and enforce a groundwater

34-27 reduction plan. (Acts 76th Leg., R.S., Ch. 1029, Sec. 4.14.)

34-28 Sec. 8888.005. APPLICABILITY OF OTHER LAW. (a) This

34-29 chapter prevails over any inconsistent provision of general law.

34-30 (b) This chapter does not prevail over or preempt a

34-31 provision of Chapter 8801 of this code or Chapter 36, Water Code,

34-32 that is being implemented by the subsidence district.

34-33 (c) The following laws do not apply to the authority:

34-34 (1) Chapter 36, Water Code;

34-35 (2) Section 49.052, Water Code; and

34-36 (3) Sections 49.451-49.455, Water Code. (Acts 76th

34-37 Leg., R.S., Ch. 1029, Sec. 1.05.)

34-38 SUBCHAPTER B. TERRITORY

34-39 Sec. 8888.051. AUTHORITY TERRITORY. The authority is

34-40 composed of the territory described by Sections 1.03(a), (b),

34-41 (b-1), (b-2), (c), and (e), Chapter 1029, Acts of the 76th

34-42 Legislature, Regular Session, 1999, as that territory may have been

34-43 modified under:

34-44 (1) this subchapter or the following predecessor

34-45 statutes:

34-46 (A) Sections 1.03(f) and (g), Chapter 1029, Acts

34-47 of the 76th Legislature, Regular Session, 1999; or

34-48 (B) Section 1.045, Chapter 1029, Acts of the 76th

34-49 Legislature, Regular Session, 1999; or

34-50 (2) Subchapter J, Chapter 49, Water Code. (New.)

34-51 Sec. 8888.052. LOCAL GOVERNMENT ANNEXATION. Territory

34-52 annexed by a local government located in the authority becomes

34-53 territory of the authority on the effective date of the annexation

34-54 unless the annexed territory is included in another local

34-55 government's approved groundwater reduction plan as of the

34-56 effective date of the annexation. The authority by rule may require

34-57 the local government to send the authority:

34-58 (1) written notice of the effective date of an

34-59 annexation; and

34-60 (2) copies of documents describing the annexed land

34-61 and the new boundaries of the local government. (Acts 76th Leg.,

34-62 R.S., Ch. 1029, Sec. 1.03(f).)

34-63 Sec. 8888.053. ADDITION OF WATER SYSTEM SERVICE AREA. If

34-64 territory is added to the service area of a person owning a water

34-65 system located in the authority, the territory becomes territory of

34-66 the authority on the effective date of the territory's addition to

34-67 the service area unless the added territory is included in another

34-68 local government's approved groundwater reduction plan as of the

34-69 effective date of the addition. The authority by rule may require

35-1 the person to send the authority:

35-2 (1) written notice of the effective date of an  
35-3 addition of territory; and

35-4 (2) copies of documents describing the added territory  
35-5 and the new boundaries of the person's service area. (Acts 76th  
35-6 Leg., R.S., Ch. 1029, Sec. 1.03(g).)

35-7 Sec. 8888.054. INCLUSION OF CERTAIN TERRITORY. (a) The  
35-8 board of directors of a district organized under Section 52,  
35-9 Article III, or Section 59, Article XVI, Texas Constitution, all or  
35-10 part of which is not included in the authority, by petition may  
35-11 request the district's territory to be included in the authority's  
35-12 territory. The petition must:

35-13 (1) be filed with the authority; and

35-14 (2) include an accurate legal description of the  
35-15 boundaries of the territory to be included.

35-16 (b) If the authority has bonds, notes, or other obligations  
35-17 outstanding, the board shall require the petitioning district to  
35-18 assume the district's share of the outstanding bonds, notes, or  
35-19 other obligations.

35-20 (c) Before the 61st day after the date the authority  
35-21 receives the petition, the board shall hold a hearing to consider  
35-22 the petition. The board may grant the petition and order the  
35-23 territory described in the petition to be included in the  
35-24 authority's territory if:

35-25 (1) it is feasible, practicable, and to the advantage  
35-26 of the authority; and

35-27 (2) the authority's system and other improvements of  
35-28 the authority are sufficient or will be sufficient to supply the  
35-29 added territory without injuring the territory already included in  
35-30 the authority.

35-31 (d) If the board grants the petition, the board shall file  
35-32 for recording in the office of the county clerk of Harris County:

35-33 (1) a copy of the order; and

35-34 (2) a description of the authority's boundaries as  
35-35 they exist after the inclusion of the territory.

35-36 (e) The order including the territory is effective  
35-37 immediately after the order and description are recorded.

35-38 (f) Except as provided by Subsection (g), a district that  
35-39 petitions to be included in the authority's territory is subject to  
35-40 the fees and reimbursements that are in effect at the time of the  
35-41 district's petition and are applicable to such a petitioner.

35-42 (g) The authority may not require a district that petitioned  
35-43 before January 1, 2002, to be included in the authority's territory  
35-44 to pay a fee to the authority for admission or reimbursement for  
35-45 activities the authority has undertaken since the authority's  
35-46 creation in the furtherance of the authority's duties and  
35-47 functions. (Acts 76th Leg., R.S., Ch. 1029, Sec. 1.045.)

#### 35-48 SUBCHAPTER C. AUTHORITY ADMINISTRATION

35-49 Sec. 8888.101. COMPOSITION OF BOARD. The authority is  
35-50 governed by a board of five elected directors. (Acts 76th Leg.,  
35-51 R.S., Ch. 1029, Secs. 2.01(a), 2.02(a) (part).)

35-52 Sec. 8888.102. ELECTION OF DIRECTORS. (a) One director is  
35-53 elected from each of five single-member voting districts by the  
35-54 voters of the voting district.

35-55 (b) A person shall indicate on the application for a place  
35-56 on the ballot the voting district the person seeks to represent.

35-57 (c) In the manner described by Section 49.103(d), Water  
35-58 Code, the board shall redraw the single-member voting districts as  
35-59 soon as practicable after each federal decennial census and as  
35-60 otherwise required by law.

35-61 (d) At the first election after each time the voting  
35-62 districts are redrawn:

35-63 (1) five new directors shall be elected to represent  
35-64 the single-member voting districts; and

35-65 (2) the directors elected shall draw lots to determine  
35-66 the directors' terms so that:

35-67 (A) two directors serve two-year terms; and

35-68 (B) three directors serve four-year terms.

35-69 (e) Subchapter C, Chapter 146, Election Code, applies to the

36-1 consideration of votes for a write-in candidate for director as if  
 36-2 the authority were a municipality. (Acts 76th Leg., R.S., Ch. 1029,  
 36-3 Sec. 2.02.)

36-4 Sec. 8888.103. ELECTION DATE. The authority shall hold an  
 36-5 election to elect the appropriate number of directors to the board  
 36-6 on a uniform election date in each even-numbered year. (Acts 76th  
 36-7 Leg., R.S., Ch. 1029, Sec. 2.06.)

36-8 Sec. 8888.104. QUALIFICATION FOR OFFICE. To be eligible to  
 36-9 serve as a director, a person must be a qualified voter in the  
 36-10 voting district from which the person is elected or appointed.  
 36-11 (Acts 76th Leg., R.S., Ch. 1029, Sec. 2.01(c).)

36-12 Sec. 8888.105. BOARD VACANCY. (a) The board shall appoint  
 36-13 a person to fill a vacancy in the office of director.

36-14 (b) The appointed person serves until the next directors'  
 36-15 election.

36-16 (c) If the position is not scheduled to be filled at the  
 36-17 election, the person elected to fill the position serves only for  
 36-18 the remainder of the unexpired term. (Acts 76th Leg., R.S., Ch.  
 36-19 1029, Sec. 2.01(b).)

36-20 Sec. 8888.106. MEETINGS. The board shall meet at least four  
 36-21 times each year and may meet at any other time the board considers  
 36-22 appropriate. (Acts 76th Leg., R.S., Ch. 1029, Sec. 3.01.)

36-23 Sec. 8888.107. GENERAL MANAGER. (a) The board shall employ  
 36-24 a general manager to serve as the chief administrative officer of  
 36-25 the authority. The board may delegate to the general manager the  
 36-26 full authority to manage and operate the affairs of the authority  
 36-27 subject only to the orders of the board.

36-28 (b) The duties of the general manager include:

36-29 (1) administering board orders;

36-30 (2) coordinating with state, federal, and local  
 36-31 agencies;

36-32 (3) overseeing development of authority plans and  
 36-33 programs; and

36-34 (4) performing other duties assigned by the board.

36-35 (c) The board shall determine the terms of office and  
 36-36 employment and the compensation of the general manager.

36-37 (d) The board may discharge the general manager by a  
 36-38 majority vote of the board. (Acts 76th Leg., R.S., Ch. 1029, Sec.  
 36-39 3.02.)

36-40 Sec. 8888.108. EMPLOYEES. (a) The general manager shall  
 36-41 employ all persons necessary to properly handle authority business  
 36-42 and operations. The general manager may employ attorneys,  
 36-43 bookkeepers, engineers, and other expert and specialized employees  
 36-44 the board considers necessary.

36-45 (b) The general manager shall determine the compensation to  
 36-46 be paid by the authority.

36-47 (c) The general manager may discharge an authority  
 36-48 employee. (Acts 76th Leg., R.S., Ch. 1029, Secs. 3.03(a), (b).)

36-49 Sec. 8888.109. FIDELITY BOND. The general manager and each  
 36-50 authority employee or contractor who is charged with the  
 36-51 collection, custody, or payment of any authority money shall  
 36-52 execute a fidelity bond in an amount determined by the board and in  
 36-53 a form and with a surety approved by the board. The authority shall  
 36-54 pay for the bond. (Acts 76th Leg., R.S., Ch. 1029, Sec. 3.03(c).)

#### 36-55 SUBCHAPTER D. POWERS AND DUTIES

36-56 Sec. 8888.151. GENERAL POWERS AND DUTIES. (a) The  
 36-57 authority has the rights, powers, privileges, functions, and duties  
 36-58 necessary and convenient to accomplish the purposes of this  
 36-59 chapter, including those provided by Chapter 49, Water Code.

36-60 (b) The authority shall exercise its rights, powers, and  
 36-61 privileges in a manner that will promote regionalization of water  
 36-62 treatment and distribution. (Acts 76th Leg., R.S., Ch. 1029, Secs.  
 36-63 4.01(a), (d).)

36-64 Sec. 8888.152. ADDITIONAL POWERS. The authority may:

36-65 (1) provide for the conservation, preservation,  
 36-66 protection, recharge, and prevention of waste of groundwater in a  
 36-67 manner consistent with the purposes of Section 59, Article XVI,  
 36-68 Texas Constitution;

36-69 (2) for the purposes of reducing groundwater

37-1 withdrawals and subsidence, acquire or develop surface water and  
 37-2 groundwater supplies from sources inside or outside the authority  
 37-3 and may conserve, store, transport, treat, purify, distribute,  
 37-4 sell, and deliver water to persons inside and outside the  
 37-5 authority;

37-6 (3) coordinate water services provided inside,  
 37-7 outside, or into the authority;

37-8 (4) provide for the reduction of groundwater  
 37-9 withdrawals by the development, implementation, or enforcement of a  
 37-10 groundwater reduction plan as provided by Section 8888.157;

37-11 (5) identify sources of water other than groundwater  
 37-12 to be provided by the authority;

37-13 (6) specify the rates and terms under which sources of  
 37-14 water other than groundwater will be provided by the authority,  
 37-15 which may be changed as considered necessary by the authority;

37-16 (7) specify the dates and extent to which each person  
 37-17 in the authority shall accept water from the authority; and

37-18 (8) administer and enforce this chapter. (Acts 76th  
 37-19 Leg., R.S., Ch. 1029, Sec. 4.01(b) (part).)

37-20 Sec. 8888.153. AUTHORITY RULES. (a) The authority shall  
 37-21 adopt and enforce rules reasonably required to implement this  
 37-22 chapter, including rules governing procedures before the board.

37-23 (b) The board shall compile the authority's rules in a book  
 37-24 and make the rules available for use and inspection at the  
 37-25 authority's principal office. (Acts 76th Leg., R.S., Ch. 1029, Sec.  
 37-26 4.02.)

37-27 Sec. 8888.154. FEES, RATES, AND CHARGES. As necessary to  
 37-28 enable the authority to fulfill the authority's purposes and  
 37-29 regulatory obligations provided by this chapter, the authority may  
 37-30 establish:

37-31 (1) fees, rates, and charges; and

37-32 (2) classifications of fee and rate payers. (Acts 76th  
 37-33 Leg., R.S., Ch. 1029, Sec. 4.03(a).)

37-34 Sec. 8888.155. FEE AMOUNTS. Fees established by the board  
 37-35 must be sufficient to:

37-36 (1) achieve water conservation;

37-37 (2) prevent waste of water;

37-38 (3) serve as a disincentive to pumping groundwater;

37-39 (4) accomplish the purposes of this chapter, including  
 37-40 making available alternative water supplies;

37-41 (5) enable the authority to meet operation and  
 37-42 maintenance expenses; and

37-43 (6) pay the principal of and interest on debt issued in  
 37-44 connection with the exercise of the authority's general powers and  
 37-45 duties. (Acts 76th Leg., R.S., Ch. 1029, Sec. 4.03(c).)

37-46 Sec. 8888.156. PRODUCTION FEES. (a) The authority may  
 37-47 charge the owner of a well located in the authority a fee on the  
 37-48 amount of water pumped from the well. The board shall establish the  
 37-49 rate of a fee under this subsection only after a special meeting on  
 37-50 the fee.

37-51 (b) The board by rule shall exempt from the fee established  
 37-52 under Subsection (a) each class of wells that is not subject to a  
 37-53 groundwater reduction requirement imposed by the subsidence  
 37-54 district. If an exempted class of wells becomes subject to a  
 37-55 groundwater reduction requirement imposed by the subsidence  
 37-56 district, the authority may charge the fee established under  
 37-57 Subsection (a) on the wells of that class. The board by rule may  
 37-58 exempt any other class of wells from the fee established under  
 37-59 Subsection (a).

37-60 (c) Notwithstanding any other law, the authority may charge  
 37-61 a fee established under Subsection (a) on a well or class of wells  
 37-62 located in the authority that, on or after June 30, 2013:

37-63 (1) ceases to be subject to a groundwater reduction  
 37-64 requirement imposed by the subsidence district; or

37-65 (2) is no longer subject to the regulatory provisions,  
 37-66 permitting requirements, or jurisdiction of the subsidence  
 37-67 district.

37-68 (d) The board may not apply the fee established under  
 37-69 Subsection (a) to a well:

38-1 (1) with a casing diameter of less than five inches  
 38-2 that serves a single-family dwelling;  
 38-3 (2) regulated under Chapter 27, Water Code;  
 38-4 (3) used for irrigation of agricultural crops; or  
 38-5 (4) used solely for electric generation. (Acts 76th  
 38-6 Leg., R.S., Ch. 1029, Secs. 4.03(b), (e).)  
 38-7 Sec. 8888.157. GROUNDWATER REDUCTION PLAN. (a) The  
 38-8 authority may develop, implement, participate in, and enforce a  
 38-9 groundwater reduction plan. The groundwater reduction plan is  
 38-10 binding on persons and wells in the authority.  
 38-11 (b) The groundwater reduction plan may be amended at the  
 38-12 discretion of the authority subject to the requirements and  
 38-13 procedures of the subsidence district applicable to the amendment  
 38-14 of groundwater reduction plans.  
 38-15 (c) The groundwater reduction plan may exceed the minimum  
 38-16 requirements imposed by the subsidence district, including any  
 38-17 applicable groundwater reduction requirements.  
 38-18 (d) The authority may contract on mutually agreeable terms  
 38-19 with a person located outside the authority to allow the person to  
 38-20 be included in the groundwater reduction plan. A contract entered  
 38-21 into under this subsection has the same force and effect as if the  
 38-22 person were located in the authority, except that the person is not  
 38-23 entitled to vote in an election for members of the board. (Acts 76th  
 38-24 Leg., R.S., Ch. 1029, Secs. 4.01(e), (f), (g), (h).)  
 38-25 Sec. 8888.158. WATER SUPPLY AND DROUGHT CONTINGENCY PLANS.  
 38-26 As needed but not less frequently than every five years, the  
 38-27 authority by rule shall develop, prepare, revise, and adopt  
 38-28 comprehensive water supply and drought contingency plans for  
 38-29 various areas of the authority. The plans must:  
 38-30 (1) be consistent with regional planning; and  
 38-31 (2) include 10-year, 20-year, and 50-year projections  
 38-32 of water needs in the authority. (Acts 76th Leg., R.S., Ch. 1029,  
 38-33 Sec. 4.05.)  
 38-34 Sec. 8888.159. ACQUISITION, CONSTRUCTION, AND OPERATION OF  
 38-35 SYSTEMS. (a) The authority may:  
 38-36 (1) by purchase, gift, lease, contract, or any other  
 38-37 legal means, acquire and provide a water treatment or supply  
 38-38 system, or any other work, plant, improvement, or facility  
 38-39 necessary or convenient to accomplish the purposes of the  
 38-40 authority, or any interest in those assets, inside or outside the  
 38-41 authority;  
 38-42 (2) design, finance, or construct a water treatment or  
 38-43 supply system, or other supply system, or any other work, plant,  
 38-44 improvement, or facility necessary or convenient to accomplish the  
 38-45 purposes of the authority, and provide water services inside or  
 38-46 outside the authority;  
 38-47 (3) maintain, operate, lease, or sell a water  
 38-48 treatment or supply system, or any other work, plant, improvement,  
 38-49 or facility necessary or convenient to accomplish the purposes of  
 38-50 the authority, that the authority constructs or acquires inside or  
 38-51 outside the authority; or  
 38-52 (4) contract with a person who owns a water treatment  
 38-53 or supply system to operate or maintain the system.  
 38-54 (b) The authority shall give a person outside the authority,  
 38-55 including the City of Houston, the option to contract for available  
 38-56 excess capacity of the authority's water treatment or supply system  
 38-57 or, before construction of a water treatment or supply system  
 38-58 begins, for additional capacity of the system. The authority must  
 38-59 offer a contract that would enable the person to pay for the excess  
 38-60 or additional capacity in accordance with the person's pro rata  
 38-61 share of the capital investment and operational and maintenance  
 38-62 costs for providing the excess or additional capacity. (Acts 76th  
 38-63 Leg., R.S., Ch. 1029, Sec. 4.06.)  
 38-64 Sec. 8888.160. STORAGE, SALE, OR REUSE OF WATER OR  
 38-65 BY-PRODUCT. The authority may store, sell, or reuse:  
 38-66 (1) water; or  
 38-67 (2) any by-product from the authority's operations.  
 38-68 (Acts 76th Leg., R.S., Ch. 1029, Sec. 4.07.)  
 38-69 Sec. 8888.161. GENERAL CONTRACTING AUTHORITY. (a) The

39-1 authority may enter into a contract with any person on terms the  
 39-2 board considers desirable, fair, and advantageous for the  
 39-3 performance of its rights and powers under this chapter.

39-4 (b) The authority may enter into a contract with any person  
 39-5 regarding the performance of any purpose or function of the  
 39-6 authority, including a contract to jointly construct, finance, own,  
 39-7 or operate works, improvements, facilities, plants, equipment, or  
 39-8 appliances necessary to accomplish a purpose or function of the  
 39-9 authority. A contract may be of unlimited duration.

39-10 (c) Notwithstanding any inconsistent provision of general  
 39-11 law or of a home-rule municipal charter or ordinance, the authority  
 39-12 and a municipality may, after January 1, 2002, enter into a contract  
 39-13 of unlimited duration. (Acts 76th Leg., R.S., Ch. 1029, Secs.  
 39-14 4.01(b) (part), 4.09(a), 4.10(d); Acts 78th Leg., R.S., Ch. 381,  
 39-15 Sec. 6.)

39-16 Sec. 8888.162. SPECIFIC CONTRACTING AUTHORITY. The  
 39-17 authority may contract for:

39-18 (1) the purchase or sale of water or water rights;

39-19 (2) the performance of activities within the powers of  
 39-20 the authority to promote the continuing and orderly development of  
 39-21 land and property in the authority through the purchase,  
 39-22 construction, or installation of works, improvements, facilities,  
 39-23 plants, equipment, or appliances so that, to the greatest extent  
 39-24 possible considering sound engineering practices and economic  
 39-25 feasibility, all the land and property in the authority may receive  
 39-26 services of the works, improvements, facilities, plants,  
 39-27 equipment, or appliances of the authority; or

39-28 (3) the construction, ownership, maintenance, or  
 39-29 operation of any works, improvements, facilities, plants,  
 39-30 equipment, or appliances of the authority or another person. (Acts  
 39-31 76th Leg., R.S., Ch. 1029, Sec. 4.09(c).)

39-32 Sec. 8888.163. PURCHASE OF SURPLUS PROPERTY. (a) The  
 39-33 authority may purchase surplus property from this state, the United  
 39-34 States, or another public entity through a negotiated contract  
 39-35 without bids.

39-36 (b) An officer, agent, or employee of the authority who is  
 39-37 financially interested in a contract described by Subsection (a)  
 39-38 shall disclose the interest to the board before the board votes on  
 39-39 the acceptance of the contract. (Acts 76th Leg., R.S., Ch. 1029,  
 39-40 Secs. 4.09(d), (e).)

39-41 Sec. 8888.164. PURCHASE OF INTEREST IN PROJECT. The  
 39-42 authority may purchase an interest in a project used for a purpose  
 39-43 or function of the authority. (Acts 76th Leg., R.S., Ch. 1029, Sec.  
 39-44 4.09(b).)

39-45 Sec. 8888.165. COOPERATION WITH PUBLIC ENTITIES. (a) In  
 39-46 implementing this chapter, the board may cooperate with and request  
 39-47 the assistance of the Texas Water Development Board, the  
 39-48 commission, the United States Geological Survey, the subsidence  
 39-49 district, other local governments, and other agencies of the United  
 39-50 States and this state.

39-51 (b) The subsidence district may:

39-52 (1) enter into an interlocal contract with the  
 39-53 authority to carry out the authority's purposes; and

39-54 (2) carry out the governmental functions and services  
 39-55 specified in the interlocal contract.

39-56 (c) The board shall coordinate with the City of Houston to  
 39-57 develop an interregional plan for a system to distribute treated  
 39-58 surface water in an economical and efficient manner. (Acts 76th  
 39-59 Leg., R.S., Ch. 1029, Secs. 4.10(a), (b), (c).)

39-60 Sec. 8888.166. SURFACE WATER DELIVERY SYSTEM. (a) In this  
 39-61 section, "surface water delivery system":

39-62 (1) includes a facility that is to be constructed and  
 39-63 that will be:

39-64 (A) used to transport groundwater between  
 39-65 utility districts;

39-66 (B) used temporarily to transport groundwater  
 39-67 between utility districts if there is a reasonable probability that  
 39-68 the facility will be used for that purpose on a permanent basis in  
 39-69 the future; or

40-1 (C) necessary to accomplish an authority  
40-2 purpose, including management of water, water conservation, or  
40-3 water reuse; and  
40-4 (2) does not include the use of the bed and banks to  
40-5 transport water or wastewater.  
40-6 (b) The authority may expedite the financing and  
40-7 construction of a surface water delivery system, or other projects  
40-8 of the authority, to accomplish a conversion from reliance on  
40-9 groundwater to reliance on surface water not later than the earlier  
40-10 of:  
40-11 (1) the date required by the subsidence district; or  
40-12 (2) the date determined by the board to be in the  
40-13 interest of the authority or one or more districts inside or outside  
40-14 the authority.  
40-15 (c) It is the intent of the legislature that the commission  
40-16 cooperate with and assist the authority in developing a surface  
40-17 water delivery system or other authority project in an expedited  
40-18 manner as provided by Subsection (b).  
40-19 (d) The commission and the authority may enter into a  
40-20 memorandum of understanding that relates to the construction of a  
40-21 surface water delivery system. The memorandum of understanding  
40-22 may:  
40-23 (1) establish standard procedures for the commission  
40-24 to grant conditional or final approval of authority construction  
40-25 projects;  
40-26 (2) establish standing waivers or conditions  
40-27 applicable to those construction projects;  
40-28 (3) delegate powers to the authority to carry out any  
40-29 commission duty relating to an activity that the authority may  
40-30 undertake if the delegation:  
40-31 (A) does not violate federal law; and  
40-32 (B) is not inconsistent with any agreement of  
40-33 this state with, or any delegation of authority to this state from,  
40-34 the United States Environmental Protection Agency;  
40-35 (4) set minimum standards for construction or other  
40-36 projects; or  
40-37 (5) address any other matter that relates to an  
40-38 activity that the authority may undertake and that the commission  
40-39 may regulate. (Acts 76th Leg., R.S., Ch. 1029, Secs. 4.10(e), (f),  
40-40 (g) (part), (j).)  
40-41 Sec. 8888.167. CONDITIONAL APPROVAL OF CONSTRUCTION  
40-42 PROJECTS. (a) The commission may grant conditional approval of a  
40-43 construction project or waive a requirement of any law or  
40-44 commission rule with respect to a construction project if the  
40-45 conditional approval or waiver does not compromise public health or  
40-46 safety.  
40-47 (b) If the commission grants conditional approval of or a  
40-48 waiver for a construction project, the authority shall make any  
40-49 subsequent changes required by the commission in the construction  
40-50 project necessary to protect the public health or safety.  
40-51 (c) The commission may not require that the authority enter  
40-52 into a contract with another person as a condition for approving an  
40-53 authority construction project. The authority may meet the  
40-54 authority's obligations under commission rules that require  
40-55 certain issues to be addressed by contract by adopting rules that  
40-56 address the commission issues and that allocate responsibility as  
40-57 necessary between the authority and a person in the authority.  
40-58 (Acts 76th Leg., R.S., Ch. 1029, Secs. 4.10(g) (part), (h), (i).)  
40-59 Sec. 8888.168. STATEMENT OF AMOUNTS OF WATER TO BE  
40-60 DELIVERED. To comply with commission rules that would require the  
40-61 authority to state specific amounts of water that may or will be  
40-62 provided to another entity receiving water from the authority, the  
40-63 authority may state the amount in ranges that the authority may  
40-64 change on prompt notification to the commission. (Acts 76th Leg.,  
40-65 R.S., Ch. 1029, Sec. 4.10(k).)  
40-66 Sec. 8888.169. EFFECT OF MUNICIPAL ANNEXATION ON FEES AND  
40-67 SERVICES. (a) Except to the extent the authority agrees in  
40-68 writing, a municipality's annexation of territory that is in the  
40-69 authority does not affect the authority's ability to assess and

41-1 collect inside the annexed territory the types of fees, rates,  
 41-2 charges, or special assessments that the authority was assessing  
 41-3 and collecting at the time the municipality initiated the  
 41-4 annexation.

41-5 (b) The authority's ability to assess and collect the types  
 41-6 of fees, rates, charges, or special assessments described by  
 41-7 Subsection (a) terminates on the later of:

41-8 (1) the date of final payment or defeasance of any  
 41-9 bonds or other indebtedness, including any refunding bonds, that  
 41-10 are secured by those fees, rates, charges, or special assessments;  
 41-11 or

41-12 (2) the date that the authority no longer provides  
 41-13 services inside the annexed territory.

41-14 (c) The authority shall continue to provide services to the  
 41-15 annexed territory in accordance with contracts in effect at the  
 41-16 time of the annexation unless a written agreement between the board  
 41-17 and the governing body of the municipality provides otherwise.  
 41-18 (Acts 76th Leg., R.S., Ch. 1029, Sec. 1.03(d).)

41-19 Sec. 8888.170. CIVIL PENALTY; CIVIL ACTION; INJUNCTION.

41-20 (a) A person who violates a rule or order of the authority is  
 41-21 subject to a civil penalty of not less than \$50 and not more than  
 41-22 \$5,000 for each violation or each day of a continuing violation.

41-23 (b) The authority may bring an action to recover the penalty  
 41-24 in a district court in the county where the violation occurred. The  
 41-25 penalty shall be paid to the authority.

41-26 (c) The authority may bring an action for injunctive relief  
 41-27 in a district court in the county where a violation of an authority  
 41-28 rule or order occurs or is threatened to occur. The court may grant  
 41-29 to the authority, without bond or other undertaking, a prohibitory  
 41-30 or mandatory injunction that the facts warrant, including a  
 41-31 temporary restraining order, temporary injunction, or permanent  
 41-32 injunction.

41-33 (d) The authority may bring an action for a civil penalty  
 41-34 and injunctive relief in the same proceeding.

41-35 (e) The authority may bring an action in a district court  
 41-36 against a person located in the authority or included in the  
 41-37 authority's groundwater reduction plan to:

41-38 (1) recover any fees, rates, charges, assessments,  
 41-39 collection expenses, attorney's fees, interest, penalties, or  
 41-40 administrative penalties due the authority; or

41-41 (2) enforce the authority's rules or orders.

41-42 (f) Governmental immunity from suit or liability of a  
 41-43 district or other political subdivision is waived for the purposes  
 41-44 of an action described by Subsection (e). (Acts 76th Leg., R.S.,  
 41-45 Ch. 1029, Sec. 4.04.)

41-46 Sec. 8888.171. EMINENT DOMAIN. (a) The authority may  
 41-47 exercise the power of eminent domain in the authority to acquire  
 41-48 property of any kind to further the authorized purposes of the  
 41-49 authority.

41-50 (b) The authority may exercise the power of eminent domain  
 41-51 outside the authority to acquire any land, easements, or other  
 41-52 property for the purpose of pumping, treating, storing, or  
 41-53 transporting water.

41-54 (c) The authority may not exercise the power of eminent  
 41-55 domain under Subsection (b):

41-56 (1) for the condemnation of land for the purpose of  
 41-57 acquiring groundwater rights, water, or water rights; or

41-58 (2) to acquire property of any kind that is:

41-59 (A) owned by a municipality with a population of  
 41-60 1.6 million or more or any instrumentality of a municipality with a  
 41-61 population of 1.6 million or more, including any local government  
 41-62 corporation created by the municipality; or

41-63 (B) located in the corporate boundaries of a  
 41-64 municipality with a population of 1.6 million or more as of February  
 41-65 1, 2001.

41-66 (d) Notwithstanding Subsection (c)(2)(B), the authority may  
 41-67 exercise the power of eminent domain under Subsection (b) to  
 41-68 acquire property in the corporate boundaries of a municipality with  
 41-69 a population of 1.6 million or more if:

42-1 (1) the condemnation is to be used to provide  
 42-2 facilities between two points that are in the authority and the area  
 42-3 in the municipality is bounded by a line parallel to and 150 feet  
 42-4 north of the north side of Greens Bayou and by a line parallel to and  
 42-5 150 feet south of the south side of Greens Bayou;

42-6 (2) annexation of the territory by the municipality  
 42-7 was completed between January 1, 1962, and January 1, 1964; or

42-8 (3) the municipality grants permission for the  
 42-9 condemnation.

42-10 (e) The authority may not exercise the power of eminent  
 42-11 domain to acquire property of any kind in Galveston County.

42-12 (f) The authority must exercise the power of eminent domain  
 42-13 in the manner provided by Chapter 21, Property Code. The authority  
 42-14 is not required to give bond for appeal or bond for costs in a  
 42-15 condemnation suit, or other suit to which the authority is a party,  
 42-16 and is not required to deposit more than the amount of an award in a  
 42-17 suit.

42-18 (g) The authority may elect to condemn either the fee simple  
 42-19 or a lesser property interest when exercising the power of eminent  
 42-20 domain.

42-21 (h) The authority's authority under this section to  
 42-22 exercise the power of eminent domain expired on September 1, 2013,  
 42-23 unless the authority submitted a letter to the comptroller in  
 42-24 accordance with Section 2206.101(b), Government Code, not later  
 42-25 than December 31, 2012. (Acts 76th Leg., R.S., Ch. 1029, Secs.  
 42-26 4.08(a), (b), (c), (d), (e); New.)

42-27 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

42-28 Sec. 8888.201. GIFT OR GRANT FROM SUBSIDENCE DISTRICT. The  
 42-29 authority may accept a gift or grant from money collected by the  
 42-30 subsidence district under Chapter 8801 to fund a water treatment or  
 42-31 supply system. (Acts 76th Leg., R.S., Ch. 1029, Sec. 4.11 (part).)

42-32 Sec. 8888.202. AUTHORIZATION OF DISBURSEMENT. A  
 42-33 disbursement of the authority must be signed by at least two  
 42-34 directors. (Acts 76th Leg., R.S., Ch. 1029, Sec. 4.12(b) (part).)

42-35 Sec. 8888.203. AD VALOREM TAX PROHIBITED. The authority  
 42-36 may not impose an ad valorem tax. (Acts 76th Leg., R.S., Ch. 1029,  
 42-37 Sec. 4.13.)

42-38 Sec. 8888.204. COOPERATIVE FUNDING. (a) The authority may  
 42-39 develop a procedure for funding cooperatively a project of the  
 42-40 authority with money from a political subdivision located entirely  
 42-41 in the authority, and may develop a procedure for funding  
 42-42 cooperatively a project of the authority with money from a  
 42-43 political subdivision located wholly or partly outside the  
 42-44 authority, a water supply corporation, or other private entity, if  
 42-45 the authority project fulfills a governmental purpose of both the  
 42-46 authority and the political subdivision, or fulfills a governmental  
 42-47 purpose of the authority that the authority determines would be  
 42-48 furthered by cooperative funding from a private entity.

42-49 (b) A political subdivision may enter into a contract with  
 42-50 the authority for the political subdivision to finance a portion of  
 42-51 the proposed project with the political subdivision's resources  
 42-52 instead of using only the proceeds from bonds of the authority for  
 42-53 that purpose. The contract must be executed before the authority  
 42-54 issues the bonds. As provided in the contract, the authority may:

42-55 (1) reduce the value of the bond issuance to the degree  
 42-56 that the political subdivision provides project funding; and

42-57 (2) credit the political subdivision for the political  
 42-58 subdivision's contribution to the project financing and adjust the  
 42-59 allocation of revenue pledged to the payment of the bonds so that  
 42-60 the authority avoids using, to a degree reasonably commensurate  
 42-61 with the contribution, revenue from the political subdivision to  
 42-62 service the authority's bond debt or interest. (Acts 76th Leg.,  
 42-63 R.S., Ch. 1029, Sec. 5.05.)

42-64 SUBCHAPTER F. NOTES AND BONDS

42-65 Sec. 8888.251. REVENUE NOTES. (a) The board, without an  
 42-66 election, may borrow money on negotiable notes of the authority  
 42-67 payable solely from the revenue from any source, including:

42-68 (1) tolls, charges, and fees the authority imposes;  
 42-69 (2) the sale of water, water or sewer services, or any

43-1 other service or product of the authority;  
43-2 (3) grants or gifts;  
43-3 (4) the ownership and operation of all or a designated  
43-4 part of the authority's works, improvements, facilities, plants, or  
43-5 equipment; and  
43-6 (5) contracts between the authority and any person.  
43-7 (b) The notes may be first or subordinate lien notes at the  
43-8 board's discretion. An obligation may not be a charge on the  
43-9 property of the authority. An obligation may only be a charge on  
43-10 revenue pledged for the payment of the obligation. (Acts 76th Leg.,  
43-11 R.S., Ch. 1029, Sec. 5.01.)  
43-12 Sec. 8888.252. REVENUE AND BOND ANTICIPATION NOTES. (a)  
43-13 The board may issue negotiable revenue anticipation notes or  
43-14 negotiable bond anticipation notes to borrow the money needed by  
43-15 the authority without advertising or giving notice of the sale.  
43-16 (b) The board may also issue negotiable combination revenue  
43-17 and bond anticipation notes. Negotiable combination revenue and  
43-18 bond anticipation notes may contain any term authorized under this  
43-19 section for revenue anticipation notes or bond anticipation notes.  
43-20 (c) Any note issued must mature not later than one year  
43-21 after its date of issuance.  
43-22 (d) A revenue anticipation note:  
43-23 (1) may be issued to enable the authority to carry out  
43-24 any purpose authorized by this chapter; and  
43-25 (2) must be secured by the proceeds of revenue to be  
43-26 collected by the authority in the 12-month period following the  
43-27 date of issuance of the note.  
43-28 (e) The board may covenant with the purchasers of revenue  
43-29 anticipation notes that the board will charge and collect  
43-30 sufficient revenue to pay the principal of and interest on the notes  
43-31 and pay the cost of collecting the revenue.  
43-32 (f) A bond anticipation note may be issued:  
43-33 (1) for any purpose for which a bond of the authority  
43-34 may be issued; or  
43-35 (2) to refund previously issued revenue or bond  
43-36 anticipation notes.  
43-37 (g) The authority may covenant with the purchasers of the  
43-38 bond anticipation notes that the authority will use the proceeds of  
43-39 the sale of any bonds in the process of issuance for the purpose of  
43-40 refunding the bond anticipation notes, in which case the board  
43-41 shall use the proceeds received from the sale of the bonds in the  
43-42 process of issuance to pay the principal, interest, or redemption  
43-43 price on the bond anticipation notes.  
43-44 (h) For purposes of Section 1202.007, Government Code, a  
43-45 note issued under this section is considered to be payable only out  
43-46 of:  
43-47 (1) current revenue collected in the year the note is  
43-48 issued; or  
43-49 (2) the proceeds of other public securities. (Acts  
43-50 76th Leg., R.S., Ch. 1029, Sec. 5.01A.)  
43-51 Sec. 8888.253. BONDS AND NOTES. (a) To carry out a power  
43-52 conferred by this chapter, the authority may issue bonds secured by  
43-53 all or part of the revenue from any source, including any source  
43-54 described by Section 8888.251(a).  
43-55 (b) In issuing or securing a bond or note of the authority,  
43-56 the authority may exercise any power of an issuer under Chapter  
43-57 1371, Government Code.  
43-58 (c) The authority may conduct a public, private, or  
43-59 negotiated sale of the bonds.  
43-60 (d) The bonds must:  
43-61 (1) be authorized by board resolution;  
43-62 (2) be issued in the authority's name;  
43-63 (3) be signed by the board president or vice  
43-64 president;  
43-65 (4) be attested by the board secretary; and  
43-66 (5) bear the authority's seal or facsimile seal.  
43-67 (e) The bonds may be secured by an indenture of trust with a  
43-68 corporate trustee.  
43-69 (f) The authority may issue bonds in more than one series as

44-1 required for carrying out the purposes of this chapter. In issuing  
 44-2 bonds secured by the authority's revenue, the authority may reserve  
 44-3 the right to issue additional bonds secured by the authority's  
 44-4 revenue that are on a parity with or are senior or subordinate to  
 44-5 the bonds issued earlier.

44-6 (g) The resolution authorizing the bonds or the trust  
 44-7 indenture securing the bonds may specify additional provisions that  
 44-8 constitute a contract between the authority and the authority's  
 44-9 bondholders. The board may provide for:

- 44-10 (1) additional bond provisions; and
- 44-11 (2) a corporate trustee or receiver to take possession  
 44-12 of the authority's facilities if the authority defaults.

44-13 (h) Section 49.181, Water Code, does not apply to bonds or  
 44-14 notes issued by the authority. (Acts 76th Leg., R.S., Ch. 1029,  
 44-15 Secs. 5.02(a), (b), (c), (d) (part), (e), (f), (g), (h).)

44-16 Sec. 8888.254. BONDS SECURED BY CONTRACT PROCEEDS:  
 44-17 APPROVAL. (a) If bonds issued under this subchapter are secured by  
 44-18 a pledge of the proceeds of a contract between the authority and a  
 44-19 municipality or other governmental agency, authority, or district,  
 44-20 the authority shall submit to the attorney general a copy of the  
 44-21 contract and the proceedings of the municipality or other  
 44-22 governmental agency, authority, or district authorizing the  
 44-23 contract.

44-24 (b) If the attorney general finds that the bonds have been  
 44-25 authorized and the contract has been made in accordance with law,  
 44-26 the attorney general shall approve the bonds and contract. (Acts  
 44-27 76th Leg., R.S., Ch. 1029, Sec. 5.04 (part).)

44-28 Sec. 8888.255. REFUNDING BONDS. The provisions of this  
 44-29 subchapter regarding the issuance of other bonds, their security,  
 44-30 and the remedies of the holders apply to refunding bonds. (Acts  
 44-31 76th Leg., R.S., Ch. 1029, Sec. 5.03.)

44-32 Sec. 8888.256. VALIDITY OF BONDS AFTER ADDITION OF  
 44-33 TERRITORY. The annexation or addition of territory to the  
 44-34 authority under Section 8888.052 or 8888.053 does not affect the  
 44-35 validity of bonds issued by the authority. (Acts 76th Leg., R.S.,  
 44-36 Ch. 1029, Sec. 1.03(h).)

44-37 SECTION 1.05. Subtitle I, Title 6, Special District Local  
 44-38 Laws Code, is amended by adding Chapters 9048 and 9070 to read as  
 44-39 follows:

44-40 CHAPTER 9048. EL PASO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT  
 44-41 NO. 4

44-42 SUBCHAPTER A. GENERAL PROVISIONS

- 44-43 Sec. 9048.001. DEFINITION
- 44-44 Sec. 9048.002. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 44-45 Sec. 9048.003. DISTRICT TERRITORY

44-46 SUBCHAPTER B. POWERS AND DUTIES

- 44-47 Sec. 9048.051. GENERAL POWERS AND DUTIES
- 44-48 Sec. 9048.052. POWERS RELATING TO SANITARY SEWER  
 44-49 SYSTEM

44-50 SUBCHAPTER C. BONDS

- 44-51 Sec. 9048.101. BOND ELECTION REQUIRED

44-52 CHAPTER 9048. EL PASO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT  
 44-53 NO. 4

44-54 SUBCHAPTER A. GENERAL PROVISIONS

44-55 Sec. 9048.001. DEFINITION. In this chapter, "district"  
 44-56 means the El Paso County Water Control and Improvement District  
 44-57 No. 4. (Acts 54th Leg., R.S., Ch. 58, Sec. 2A(a).)

44-58 Sec. 9048.002. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
 44-59 The district is created to serve a public use and benefit.

44-60 (b) Except for property owned by a railroad or public  
 44-61 utility that does not use the facilities of the district, all land  
 44-62 included in the boundaries of the district will be benefited. (Acts  
 44-63 54th Leg., R.S., Ch. 58, Sec. 2 (part).)

44-64 Sec. 9048.003. DISTRICT TERRITORY. (a) The district is  
 44-65 composed of the territory described by Section 1, Chapter 268, Acts  
 44-66 of the 82nd Legislature, Regular Session, 2011, as that territory  
 44-67 may have been modified under:

- 44-68 (1) Subchapter O, Chapter 51, Water Code;
- 44-69 (2) Subchapter J, Chapter 49, Water Code; or

- 45-1 (3) other law.  
 45-2 (b) The boundaries and field notes of the district form a  
 45-3 closure. A mistake made in the field notes or in copying the field  
 45-4 notes in the legislative process does not affect:  
 45-5 (1) the district's organization, existence, or  
 45-6 validity;  
 45-7 (2) the district's right to issue any type of bond for  
 45-8 a purpose for which the district is created or to pay the principal  
 45-9 of and interest on the bond;  
 45-10 (3) the district's right to impose a tax; or  
 45-11 (4) the legality or operation of the district. (Acts  
 45-12 54th Leg., R.S., Ch. 58, Secs. 2A(b), (c); New.)

45-13 SUBCHAPTER B. POWERS AND DUTIES

45-14 Sec. 9048.051. GENERAL POWERS AND DUTIES. Except as  
 45-15 otherwise provided by this chapter, the district has all the  
 45-16 rights, powers, privileges, and duties, including the control of  
 45-17 storm and flood waters, provided by general law applicable to a  
 45-18 water control and improvement district created under Section 59,  
 45-19 Article XVI, Texas Constitution, including Chapters 49 and 51,  
 45-20 Water Code. (Acts 54th Leg., R.S., Ch. 58, Sec. 1 (part), Sec. 3  
 45-21 (part); New.)

45-22 Sec. 9048.052. POWERS RELATING TO SANITARY SEWER SYSTEM.  
 45-23 The district may construct, maintain, and operate a sanitary sewer  
 45-24 system. (Acts 54th Leg., R.S., Ch. 58, Sec. 1 (part).)

45-25 SUBCHAPTER C. BONDS

45-26 Sec. 9048.101. BOND ELECTION REQUIRED. The district may  
 45-27 not issue bonds unless the bonds are authorized by a majority of the  
 45-28 voters of the district voting at an election held for that purpose.  
 45-29 (Acts 54th Leg., R.S., Ch. 58, Sec. 2 (part).)

45-30 CHAPTER 9070. FAYETTE COUNTY WATER CONTROL AND IMPROVEMENT  
 45-31 DISTRICT-MONUMENT HILL

45-32 Sec. 9070.001. DEFINITION

45-33 Sec. 9070.002. EXCLUSION OF TERRITORY

45-34 Sec. 9070.003. RIGHTS OF BONDHOLDERS

45-35 Sec. 9070.004. TAX LIABILITY OF EXCLUDED TERRITORY

45-36 CHAPTER 9070. FAYETTE COUNTY WATER CONTROL AND IMPROVEMENT  
 45-37 DISTRICT-MONUMENT HILL

45-38 Sec. 9070.001. DEFINITION. In this chapter, "district"  
 45-39 means the Fayette County Water Control and Improvement  
 45-40 District-Monument Hill. (Acts 72nd Leg., R.S., Ch. 316, Sec. 1.)

45-41 Sec. 9070.002. EXCLUSION OF TERRITORY. The boundaries of  
 45-42 the district exclude the approximately 100 acres of territory  
 45-43 previously included in the district that are located across  
 45-44 Buckners Creek from the district. (Acts 72nd Leg., R.S., Ch. 316,  
 45-45 Sec. 2.)

45-46 Sec. 9070.003. RIGHTS OF BONDHOLDERS. The exclusion of  
 45-47 territory under this chapter does not diminish or impair the rights  
 45-48 of the holders of any outstanding and unpaid bonds, warrants, or  
 45-49 other certificates of indebtedness of the district. (Acts 72nd  
 45-50 Leg., R.S., Ch. 316, Sec. 3.)

45-51 Sec. 9070.004. TAX LIABILITY OF EXCLUDED TERRITORY. (a)  
 45-52 Territory excluded from the district under Section 9070.002 is not  
 45-53 released from the payment of its pro rata share of the district's  
 45-54 debt.

45-55 (b) The district shall continue to impose taxes each year on  
 45-56 the excluded territory at the same rate imposed on other district  
 45-57 property until the taxes collected from the excluded territory  
 45-58 equal its pro rata share of the district's debt at the time the  
 45-59 territory was excluded. The taxes collected shall be applied  
 45-60 exclusively to the payment of the excluded territory's pro rata  
 45-61 share of the debt.

45-62 (c) The owner of all or part of the excluded territory may  
 45-63 pay in full, at any time, the owner's share of the pro rata share of  
 45-64 the district's debt. (Acts 72nd Leg., R.S., Ch. 316, Sec. 4.)

45-65 ARTICLE 2. CONFORMING AMENDMENTS

45-66 SECTION 2.01. Section 1, Chapter 498, Acts of the 54th  
 45-67 Legislature, Regular Session, 1955, is amended to read as follows:

45-68 Sec. 1. The ~~[creation and establishment of]~~ North Plains  
 45-69 Groundwater Conservation District is~~is~~ composed of lands and

46-1 territories situated within all or a portion of the Texas Counties  
 46-2 of Dallam, Hansford, Hartley, Hutchinson, Lipscomb, Moore,  
 46-3 Ochiltree and Sherman, the boundaries of said District being  
 46-4 described by metes and bounds in order canvassing returns and  
 46-5 declaring results of confirmation election, dated January 27, 1955,  
 46-6 recorded in Volume 1, Page 53, of the Ground Water Conservation  
 46-7 Records of Ochiltree County, Texas, and recorded in Volume 119,  
 46-8 Page 21 of the Deed Records of Ochiltree County, Texas[~~, to which~~  
 46-9 ~~reference is here made for a more complete description, and which is~~  
 46-10 ~~incorporated herein by reference the same as if copied herein in~~  
 46-11 ~~full, is hereby ratified, confirmed and validated. All acts of the~~  
 46-12 ~~Board of Water Engineers of the State of Texas in regard to the~~  
 46-13 ~~designation of Subdivision Number Two, of the Groundwater Reservoir~~  
 46-14 ~~in the Ogallala Formation, North of the Canadian River in Texas,~~  
 46-15 ~~dated August 16, 1954, in regard to the creation and establishing of~~  
 46-16 ~~said District, and the appointment of seven (7) directors, and all~~  
 46-17 ~~acts of the Board of Directors of said District in regard to the~~  
 46-18 ~~creation and establishment of said District and in regard to~~  
 46-19 ~~levying and collecting ad valorem taxes by said District are in all~~  
 46-20 ~~things ratified, confirmed and validated, and said District,~~  
 46-21 ~~composed of the land and territory described above, is hereby~~  
 46-22 ~~declared to have been fully and duly created and established and~~  
 46-23 ~~authorized to collect ad valorem taxes from and after the~~  
 46-24 ~~confirmation and tax elections held within said District on January~~  
 46-25 ~~21, 1955].~~

## ARTICLE 3. REPEALERS

SECTION 3.01. The following statutes are repealed:

- 46-27 (1) Chapter 46, Acts of the 54th Legislature, Regular  
 46-28 Session, 1955;  
 46-29 (2) Chapter 1168, Acts of the 71st Legislature,  
 46-30 Regular Session, 1989;  
 46-31 (3) Chapter 21, Acts of the 68th Legislature, Regular  
 46-32 Session, 1983;  
 46-33 (4) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,  
 46-34 15, 16, 17, 18, 19, 20, 21, and 22, Chapter 141, Acts of the 54th  
 46-35 Legislature, Regular Session, 1955;  
 46-36 (5) Sections 1, 2(c), 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,  
 46-37 13, 14, 15, 16A, 16B, 16C, 16D, 16E, 16F, and 16G, Chapter 1081,  
 46-38 Acts of the 68th Legislature, Regular Session, 1983;  
 46-39 (6) Sections 3, 4, 5, and 6, Chapter 600, Acts of the  
 46-40 70th Legislature, Regular Session, 1987;  
 46-41 (7) Chapter 318, Acts of the 72nd Legislature, Regular  
 46-42 Session, 1991;  
 46-43 (8) Chapter 1200, Acts of the 75th Legislature,  
 46-44 Regular Session, 1997;  
 46-45 (9) Chapter 350, Acts of the 81st Legislature, Regular  
 46-46 Session, 2009;  
 46-47 (10) Chapter 524, Acts of the 71st Legislature,  
 46-48 Regular Session, 1989;  
 46-49 (11) Chapter 22, Acts of the 77th Legislature, Regular  
 46-50 Session, 2001;  
 46-51 (12) Chapter 64, Acts of the 81st Legislature, Regular  
 46-52 Session, 2009;  
 46-53 (13) Sections 1, 1A, 2, 4, 5, 6, 7, 8, 9, 10A, 10B, 11,  
 46-54 and 12, Chapter 712, Acts of the 71st Legislature, Regular Session,  
 46-55 1989;  
 46-56 (14) Chapter 1123, Acts of the 80th Legislature,  
 46-57 Regular Session, 2007;  
 46-58 (15) Chapter 368, Acts of the 74th Legislature,  
 46-59 Regular Session, 1995;  
 46-60 (16) Chapter 658, Acts of the 82nd Legislature,  
 46-61 Regular Session, 2011;  
 46-62 (17) Chapter 669, Acts of the 71st Legislature,  
 46-63 Regular Session, 1989;  
 46-64 (18) Chapter 673, Acts of the 71st Legislature,  
 46-65 Regular Session, 1989;  
 46-66 (19) Chapter 653, Acts of the 71st Legislature,  
 46-67 Regular Session, 1989;  
 46-68 (20) Chapter 879, Acts of the 81st Legislature,  
 46-69

47-1 Regular Session, 2009;  
 47-2 (21) Chapter 519, Acts of the 71st Legislature,  
 47-3 Regular Session, 1989;  
 47-4 (22) Chapter 1173, Acts of the 79th Legislature,  
 47-5 Regular Session, 2005;  
 47-6 (23) Chapter 46, Acts of the 72nd Legislature, Regular  
 47-7 Session, 1991;  
 47-8 (24) Chapter 377, Acts of the 69th Legislature,  
 47-9 Regular Session, 1985;  
 47-10 (25) Chapter 757, Acts of the 72nd Legislature,  
 47-11 Regular Session, 1991;  
 47-12 (26) Sections 1A, 2, 3, 4, 4a, and 5, Chapter 498, Acts  
 47-13 of the 54th Legislature, Regular Session, 1955;  
 47-14 (27) Chapter 760, Acts of the 68th Legislature,  
 47-15 Regular Session, 1983;  
 47-16 (28) Chapter 63, Acts of the 69th Legislature, Regular  
 47-17 Session, 1985;  
 47-18 (29) Sections 2, 3, 4, and 5, Chapter 1152, Acts of the  
 47-19 76th Legislature, Regular Session, 1999;  
 47-20 (30) Chapter 644, Acts of the 84th Legislature,  
 47-21 Regular Session, 2015;  
 47-22 (31) Sections 1.01, 1.02, 1.03(d), 1.03(f), 1.03(g),  
 47-23 1.03(h), 1.045, 1.05, and 1.06, Chapter 1029, Acts of the 76th  
 47-24 Legislature, Regular Session, 1999;  
 47-25 (32) Articles 2, 3, 4, 5, and 6, Chapter 1029, Acts of  
 47-26 the 76th Legislature, Regular Session, 1999;  
 47-27 (33) Chapter 232, Acts of the 77th Legislature,  
 47-28 Regular Session, 2001;  
 47-29 (34) Article 12, Chapter 966, Acts of the 77th  
 47-30 Legislature, Regular Session, 2001;  
 47-31 (35) Section 13.04, Chapter 966, Acts of the 77th  
 47-32 Legislature, Regular Session, 2001;  
 47-33 (36) Sections 1, 3, 4, 5, 6, and 7, Chapter 1296, Acts  
 47-34 of the 77th Legislature, Regular Session, 2001;  
 47-35 (37) Sections 39 and 40, Chapter 1423, Acts of the 77th  
 47-36 Legislature, Regular Session, 2001;  
 47-37 (38) Chapter 381, Acts of the 78th Legislature,  
 47-38 Regular Session, 2003;  
 47-39 (39) Section 2, Chapter 271, Acts of the 79th  
 47-40 Legislature, Regular Session, 2005;  
 47-41 (40) Sections 2, 3, 4, 5, and 7, Chapter 321, Acts of  
 47-42 the 82nd Legislature, Regular Session, 2011;  
 47-43 (41) Chapter 723, Acts of the 83rd Legislature,  
 47-44 Regular Session, 2013;  
 47-45 (42) Chapter 1343, Acts of the 79th Legislature,  
 47-46 Regular Session, 2005;  
 47-47 (43) Section 199, Chapter 1163, Acts of the 82nd  
 47-48 Legislature, Regular Session, 2011;  
 47-49 (44) Sections 1, 2, 2A(a), 2A(b), 2A(c), 3, and 4,  
 47-50 Chapter 58, Acts of the 54th Legislature, Regular Session, 1955;  
 47-51 (45) Chapter 491, Acts of the 54th Legislature,  
 47-52 Regular Session, 1955;  
 47-53 (46) Section 2, Chapter 268, Acts of the 82nd  
 47-54 Legislature, Regular Session, 2011;  
 47-55 (47) Chapter 316, Acts of the 72nd Legislature,  
 47-56 Regular Session, 1991; and  
 47-57 (48) Sections 2, 3, 6, 7, 8, 9, 10, 11, 13, and 14,  
 47-58 Chapter 1196, Acts of the 84th Legislature, Regular Session, 2015.

## ARTICLE 4. GENERAL MATTERS

47-60 SECTION 4.01. LEGISLATIVE INTENT OF NO SUBSTANTIVE CHANGE.  
 47-61 This Act is enacted under Section 43, Article III, Texas  
 47-62 Constitution. This Act is intended as a codification only, and no  
 47-63 substantive change in the law is intended by this Act. This Act  
 47-64 does not increase or decrease the territory of any special district  
 47-65 of the state as those boundaries exist on the effective date of this  
 47-66 Act.

47-67 SECTION 4.02. PRESERVATION OF VALIDATION MADE BY PREVIOUS  
 47-68 LAW. (a) The repeal of a law, including a validating law, by this  
 47-69 Act does not remove, void, or otherwise affect in any manner a

48-1 validation under the repealed law. The validation is preserved and  
48-2 continues to have the same effect that it would have if the law were  
48-3 not repealed.

48-4 (b) Subsection (a) of this section does not diminish the  
48-5 saving provisions prescribed by Section [311.031](#), Government Code.

48-6 SECTION 4.03. EFFECTIVE DATE. This Act takes effect April  
48-7 1, 2019.

48-8

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