

1-1 By: Guillen (Senate Sponsor - Zaffirini) H.B. No. 5320  
 1-2 (In the Senate - Received from the House May 12, 2025;  
 1-3 May 21, 2025, read first time and referred to Committee on Local  
 1-4 Government; May 22, 2025, reported favorably by the following  
 1-5 vote: Yeas 6, Nays 0, 1 present not voting; May 22, 2025, sent to  
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Bettencourt	X			
1-9 Middleton				X
1-10 Cook	X			
1-11 Gutierrez	X			
1-12 Nichols	X			
1-13 Paxton	X			
1-14 West	X			

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

1-18 relating to the powers, duties, and governance of the Starr County  
 1-19 Drainage District, the change of the name of the Starr County  
 1-20 Drainage District to the Starr County Drainage and Groundwater  
 1-21 Conservation District, the dissolution of the Starr County  
 1-22 Groundwater Conservation District, and the transfer of the assets  
 1-23 and liabilities of the Starr County Groundwater Conservation  
 1-24 District to the Starr County Drainage and Groundwater Conservation  
 1-25 District; authorizing the imposition of a tax.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Chapter 6606, Special District Local Laws Code,  
 1-28 is transferred to Subtitle X, Title 6, Special District Local Laws  
 1-29 Code, redesignated as Chapter 11022, Special District Local Laws  
 1-30 Code, and amended to read as follows:

1-31 CHAPTER 11022 [~~6606~~]. STARR COUNTY DRAINAGE AND GROUNDWATER  
 1-32 CONSERVATION DISTRICT

1-33 SUBCHAPTER A. GENERAL PROVISIONS

1-34 Sec. 11022.0101 [~~6606.001~~]. DEFINITIONS. In this  
 1-35 chapter:

- 1-36 (1) "Board" means the district's board of directors.
- 1-37 (2) "Director" means a member of the board.
- 1-38 (3) "District" means the Starr County Drainage and  
 1-39 Groundwater Conservation District.

1-40 Sec. 11022.0102 [~~6606.002~~]. NATURE OF DISTRICT. The  
 1-41 district is a drainage and groundwater conservation district  
 1-42 created in Starr County under Section 59, Article XVI, Texas  
 1-43 Constitution[, subject to approval at a confirmation election under  
 1-44 Section 6606.102].

1-45 Sec. 11022.0103 [~~6606.003~~]. FINDINGS OF BENEFIT AND  
 1-46 PURPOSE. (a) The district is created to serve a public use and  
 1-47 benefit.

1-48 (b) All land and other property included in the district  
 1-49 will benefit from the works and projects that are to be accomplished  
 1-50 by the district under powers conferred by Section 59, Article XVI,  
 1-51 Texas Constitution.

1-52 (c) The district is essential to accomplish the purposes of  
 1-53 Section 59, Article XVI, Texas Constitution.

1-54 Sec. 11022.0104 [~~6606.004~~]. DISTRICT TERRITORY. The  
 1-55 district territory is coextensive with the boundaries of Starr  
 1-56 County, Texas.

1-57 SUBCHAPTER B. BOARD OF DIRECTORS

1-58 Sec. 11022.0201 [~~6606.051~~]. DIRECTORS. [~~(a)~~] The district  
 1-59 is governed by a board of five directors appointed by the  
 1-60 [~~consisting of the~~] Commissioners Court of Starr County as follows:

- 1-61 (1) one director who is a bona fide agricultural  
 1-62 producer for whom a substantial portion of the person's income is

- 2-1 derived from conducting agricultural business in the district;
- 2-2 (2) one director who is an employee of a rural water
- 2-3 supply entity in the district;
- 2-4 (3) one director who represents municipal interests in
- 2-5 the district;
- 2-6 (4) one director who represents active industrial
- 2-7 interests in the district; and
- 2-8 (5) one director who represents Starr County at large.

2-9 ~~[(b) Service on the board is an additional duty of office~~  
 2-10 ~~for a member of the Commissioners Court of Starr County.]~~

2-11 SUBCHAPTER C. POWERS, ~~[AND]~~ DUTIES, AND FINANCIAL PROVISIONS

2-12 Sec. 11022.0301 ~~[6606.101]~~. GENERAL POWERS AND DUTIES.

2-13 (a) The district has all rights, powers, privileges, functions,  
 2-14 and duties provided by the general law of this state applicable to a  
 2-15 drainage district created under Section 59, Article XVI, Texas  
 2-16 Constitution, including Chapters 36, 49, and 56, Water Code.

2-17 (b) The district may impose an ad valorem tax as provided by  
 2-18 Chapter 49, Water Code.

2-19 ~~[Sec. 6606.102. CONFIRMATION ELECTION. (a) The board~~  
 2-20 ~~shall hold an election to confirm the creation of the district.~~

2-21 ~~[(b) Section 41.001(a), Election Code, does not apply to a~~  
 2-22 ~~confirmation election under this section.~~

2-23 ~~[(c) Except as provided by this section, the confirmation~~  
 2-24 ~~election must be conducted as provided by Sections 49.102(a)-(f),~~  
 2-25 ~~Water Code, and the Election Code.~~

2-26 ~~[(d) The district is not required to elect directors at the~~  
 2-27 ~~confirmation election.]~~

2-28 Sec. 11022.0302 ~~[6606.103]~~. UTILITY PROPERTY EXEMPTION  
 2-29 FROM IMPACT FEES, STANDBY FEES, AND ASSESSMENTS. The district may  
 2-30 not impose an impact fee, standby fee, or assessment on the  
 2-31 property, including the equipment, rights-of-way, easements,  
 2-32 facilities, or improvements, of:

2-33 (1) an electric utility or a power generation company  
 2-34 as defined by Section 31.002, Utilities Code;

2-35 (2) a gas utility as defined by Section 101.003 or  
 2-36 121.001, Utilities Code;

2-37 (3) a telecommunications provider as defined by  
 2-38 Section 51.002, Utilities Code; or

2-39 (4) a person who provides to the public cable  
 2-40 television or advanced telecommunications services.

2-41 SECTION 2. Sections 8803.103 and 8803.104, Special District  
 2-42 Local Laws Code, are transferred to Subchapter C, Chapter 11022,  
 2-43 Special District Local Laws Code, as added by this Act,  
 2-44 redesignated as Sections 11022.0303 and 11022.0304, Special  
 2-45 District Local Laws Code, and amended to read as follows:

2-46 Sec. 11022.0303 ~~[8803.103]~~. POWER TO CONTRACT WITH  
 2-47 MUNICIPALITIES. The district may enter into a contract with a  
 2-48 municipality to assume the functions of the municipality's  
 2-49 municipally owned utility. A contract under this section may  
 2-50 include provisions for the district's:

2-51 (1) assumption of the debts, liabilities, and  
 2-52 obligations of the municipally owned utility;

2-53 (2) ownership or use of the assets and facilities of  
 2-54 the municipally owned utility; and

2-55 (3) performance of the functions and services  
 2-56 previously provided by the municipally owned utility.

2-57 Sec. 11022.0304 ~~[8803.104]~~. RELATION TO OTHER  
 2-58 WATER-RELATED ENTITIES. (a) To the extent that a rule of the  
 2-59 district conflicts with a rule of the regional water authority, the  
 2-60 rule of the authority controls.

2-61 (b) To the extent that a rule of the district conflicts with  
 2-62 an action of a municipally owned utility or water supply or sewer  
 2-63 service corporation whose certificated area is located wholly or  
 2-64 partly in the district's territory, the action of the utility or  
 2-65 corporation controls.

2-66 (c) Notwithstanding Subsections (a) and (b), to the extent  
 2-67 that a rule of the district concerning groundwater conflicts with a  
 2-68 rule of the regional water authority or with an action of a  
 2-69 municipally owned utility or water supply or sewer service

3-1 corporation whose certificated area is located wholly or partly in  
3-2 the district's territory, the rule of the district controls.

3-3 SECTION 3. The following provisions of the Special District  
3-4 Local Laws Code are repealed:

- 3-5 (1) Subchapters A, B, and D, Chapter 8803;
- 3-6 (2) Sections 8803.101 and 8803.102;
- 3-7 (3) the heading to Subchapter C, Chapter 8803; and
- 3-8 (4) the heading to Chapter 8803.

3-9 SECTION 4. (a) On the effective date of this Act:

3-10 (1) the Starr County Groundwater Conservation  
3-11 District is dissolved;

3-12 (2) the terms of the directors of the Starr County  
3-13 Groundwater Conservation District expire;

3-14 (3) any assets and liabilities of the Starr County  
3-15 Groundwater Conservation District are transferred to the Starr  
3-16 County Drainage and Groundwater Conservation District;

3-17 (4) a contract with any party and the Starr County  
3-18 Groundwater Conservation District is a contract between that party  
3-19 and the Starr County Drainage and Groundwater Conservation  
3-20 District;

3-21 (5) an employee of the Starr County Groundwater  
3-22 Conservation District is an employee of the Starr County Drainage  
3-23 and Groundwater Conservation District;

3-24 (6) records of the Starr County Groundwater  
3-25 Conservation District are records of the Starr County Drainage and  
3-26 Groundwater Conservation District; and

3-27 (7) the Starr County Drainage and Groundwater  
3-28 Conservation District may, in all respects, conduct the affairs of  
3-29 the Starr County Groundwater Conservation District as provided by  
3-30 Subsection (b) of this section.

3-31 (b) The Starr County Drainage and Groundwater Conservation  
3-32 District shall take any action necessary to close the affairs of the  
3-33 Starr County Groundwater Conservation District, including the  
3-34 filing of any dissolution documents with the Texas Commission on  
3-35 Environmental Quality.

3-36 SECTION 5. (a) The legal notice of the intention to  
3-37 introduce this Act, setting forth the general substance of this  
3-38 Act, has been published as provided by law, and the notice and a  
3-39 copy of this Act have been furnished to all persons, agencies,  
3-40 officials, or entities to which they are required to be furnished  
3-41 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
3-42 Government Code.

3-43 (b) The governor, one of the required recipients, has  
3-44 submitted the notice and Act to the Texas Commission on  
3-45 Environmental Quality.

3-46 (c) The Texas Commission on Environmental Quality has filed  
3-47 its recommendations relating to this Act with the governor, the  
3-48 lieutenant governor, and the speaker of the house of  
3-49 representatives within the required time.

3-50 (d) All requirements of the constitution and laws of this  
3-51 state and the rules and procedures of the legislature with respect  
3-52 to the notice, introduction, and passage of this Act are fulfilled  
3-53 and accomplished.

3-54 SECTION 6. This Act takes effect immediately if it receives  
3-55 a vote of two-thirds of all the members elected to each house, as  
3-56 provided by Section 39, Article III, Texas Constitution. If this  
3-57 Act does not receive the vote necessary for immediate effect, this  
3-58 Act takes effect September 1, 2025.

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