

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 5. TRANSPORTATION

SUBTITLE A. NAVIGATION DISTRICTS AND PORT AUTHORITIES

CHAPTER 5013. PORT OF HARLINGEN AUTHORITY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 5013.001. DEFINITIONS. In this chapter:

- (1) "Authority" means the Port of Harlingen Authority.
- (2) "Port commission" means the governing body of the authority.
- (3) "Port commissioner" means a member of the port commission.
- (4) "Treasurer" means the treasurer of the authority.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.01, eff. April 1, 2019.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 35 (S.B. [635](#)), Sec. 2, eff. May 15, 2021.

Sec. 5013.002. FORMER NAME OF AUTHORITY. Before April 13, 1983, the authority was known as the Arroyo Colorado Navigation District of Cameron and Willacy Counties.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.01, eff. April 1, 2019.

Sec. 5013.0025. AUTHORITY TERRITORY. The authority is composed of the original territory of the district, as it may have been amended by Subchapter [H](#), Chapter [62](#), Water Code, or other law, except the territory does not include any portion of Willacy County.

Added by Acts 2021, 87th Leg., R.S., Ch. 35 (S.B. [635](#)), Sec. 3, eff. May 15, 2021.

SUBCHAPTER B. PORT COMMISSION

Sec. 5013.051. GOVERNING BODY. (a) The navigation and

canal commission of the authority is called the port commission and is composed of five port commissioners.

(b) The port commissioners shall be elected by the voters of the district at large to positions numbered one through five.

(c) Port commissioners serve staggered four-year terms, with port commissioners elected in odd-numbered years.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. 2803), Sec. 1.01, eff. April 1, 2019.

Transferred, redesignated and amended from Special District Local Laws Code, Section 5013.003 by Acts 2021, 87th Leg., R.S., Ch. 35 (S.B. 635), Sec. 5, eff. May 15, 2021.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 5013.101. TREASURER. (a) The port commission:

(1) shall hire or appoint a treasurer; and

(2) may terminate or suspend the employment or appointment of the treasurer.

(b) The treasurer has the power and duties of a treasurer under Chapters 60 and 62, Water Code.

(c) Notwithstanding Section 62.152, Water Code, the treasurer shall pay all authority expenses from authority funds.

Added by Acts 2021, 87th Leg., R.S., Ch. 35 (S.B. 635), Sec. 6, eff. May 15, 2021.

Sec. 5013.102. SALES AND LEASES. (a) Except as provided by this section, the provisions of Subchapter C, Chapter 60, Water Code, apply to all sales and leases entered into by the authority.

(b) Notwithstanding Section 60.039, Water Code, the authority may enter into a surface lease for a period of not more than 99 years.

(c) Notwithstanding Section 60.040, Water Code, the authority is not required to publish notice for a sale, easement, or lease for a period of not more than 99 years.

(d) Sections 60.041 and 60.042, Water Code, do not apply to a bid on real property to be sold by the authority.

Added by Acts 2021, 87th Leg., R.S., Ch. 35 (S.B. 635), Sec. 6, eff.

May 15, 2021.

SUBCHAPTER D. FINANCIAL PROVISIONS

Sec. 5013.151. MAINTENANCE AND OPERATION TAX; TAX RATE.

(a) The authority may impose an ad valorem tax at a rate not to exceed 10 cents on each \$100 valuation of all taxable property in the authority for the maintenance, operation, and upkeep of the authority and the improvements constructed by the authority.

(b) The authority may change the rate or suspend collection of the tax authorized by this section in the manner provided by law for official action by the authority, subject to the limitation prescribed by Subsection (a).

(c) Section [62.160](#), Water Code, does not apply to the authority.

Added by Acts 2021, 87th Leg., R.S., Ch. 35 (S.B. [635](#)), Sec. 6, eff. May 15, 2021.

Sec. 5013.152. SELECTION OF DEPOSITORY. (a) Except as provided by this section, the authority shall select a depository for the authority in the manner provided by Section [60.271](#), Water Code.

(b) The authority shall select a depository in a manner to ensure that authority funds are fully insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund.

(c) The authority may select more than one institution to serve as a depository in order to comply with the requirement under Subsection (b).

Added by Acts 2021, 87th Leg., R.S., Ch. 35 (S.B. [635](#)), Sec. 6, eff. May 15, 2021.