

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE A. DRAINAGE DISTRICTS
CHAPTER 6604. FORT BEND COUNTY DRAINAGE DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6604.001. DEFINITIONS. In this chapter:

(1) "Commissioners court" means the Commissioners Court of Fort Bend County.

(2) "District" means the Fort Bend County Drainage District.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.002. NATURE OF DISTRICT. (a) The district is created under Section 59, Article XVI, Texas Constitution, for the reclamation and drainage of the district's overflowed lands and other lands needing drainage.

(b) The creation of the district is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.003. DISTRICT TERRITORY. Unless the district territory has been modified under Subchapter J, Chapter 49, Water Code, or other law, the boundaries of the district are coextensive with the boundaries of Fort Bend County.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

SUBCHAPTER B. DISTRICT ADMINISTRATION

Sec. 6604.051. GOVERNING BODY. (a) The commissioners court is the governing body of the district and the agency through which the management and control of the district is administered.

(b) The commissioners court may perform any act necessary to

carry out the purposes of this chapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.052. DUTIES OF COUNTY OFFICIALS IN CONNECTION WITH DISTRICT; DISTRICT OFFICERS, EMPLOYEES, AND AGENTS. (a) The county judge, county commissioners, county tax assessor-collector, county treasurer, and county depository of Fort Bend County shall perform all duties in connection with the district that are required by law in connection with official matters for Fort Bend County.

(b) The county auditor of Fort Bend County is the auditor for the district.

(c) The commissioners court may employ a general manager for the district and any other agents, attorneys, engineers, and employees considered necessary in connection with the purposes of this chapter. All compensation for a person employed under this subsection may be payable from funds created under this chapter for the maintenance and operation of the district.

(d) The commissioners court shall require the county tax assessor-collector, the county treasurer, and any other officers and employees, as designated by the commissioners court, to post bonds that are:

(1) payable to the district in amounts determined by the commissioners court; and

(2) conditioned on:

(A) the faithful performance of their duties; and

(B) paying over and accounting for all money and other things of value that belong to the district and come into their possession.

(e) A bond required under Subsection (d) must be executed by a surety company authorized to do business in this state and is subject to the approval of the commissioners court. The district shall pay the premiums on the bond.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 6604.101. GENERAL POWERS. (a) The district has the powers of government and the authority to exercise the rights, privileges, and functions provided by this chapter.

(b) The district may perform any act necessary or proper to carry out a district purpose.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.102. ACQUISITION OF PROPERTY; EMINENT DOMAIN.

(a) The district:

(1) by gift, devise, purchase, lease, or exercise of the power of eminent domain, may acquire inside the district an easement, right-of-way, or other property needed to carry on the work of the district; and

(2) by exercise of the power of eminent domain or otherwise, may acquire outside the district an easement or right-of-way.

(b) Before the district acquires by exercise of the power of eminent domain an easement or right-of-way outside the district, the acquisition must be unanimously approved by the entire commissioners court of the county in which the easement or right-of-way is located.

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

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.103. DISPOSAL OR LEASE OF DISTRICT PROPERTY. (a) The district may dispose of property or a property right that is not needed for a district purpose.

(b) The district may lease property or a property right for a purpose that does not interfere with the district's use of the property.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.104. GENERAL RECLAMATION AND DRAINAGE POWERS.

The district may:

(1) devise plans and construct works to reclaim land in the district;

(2) provide drainage facilities for reclamation and drainage of the overflowed land and other land in the district that needs drainage;

(3) acquire or construct outside the district properties or facilities that in the judgment of the commissioners court are necessary to facilitate drainage and reclamation of land in the district;

(4) remove natural or artificial obstructions from streams or watercourses; and

(5) clean, straighten, widen, or maintain streams, watercourses, or drainage ditches.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.105. ARRANGEMENTS WITH UNITED STATES. (a) The district may cooperate with, contract with, or receive a grant, loan, or advancement from the United States to exercise a district power or to further a district purpose.

(b) The district may contribute to the United States in connection with any project that is undertaken by the United States and affects or relates to a district purpose.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.106. CONTRACTS AND COOPERATION WITH STATE AND POLITICAL SUBDIVISIONS. The district may cooperate and contract with this state or a political subdivision of this state to carry out a district purpose.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.107. CONSTRUCTION ON PUBLIC LAND. (a) The

district may construct works, ditches, canals, or other improvements over, across, or along:

- (1) a public stream, road, or highway; or
- (2) land belonging to this state.

(b) A plan for an improvement under Subsection (a) on a state highway is subject to the approval of the Texas Department of Transportation.

(c) A plan for an improvement under Subsection (a) on Texas Department of Criminal Justice land is subject to the approval of the Texas Board of Criminal Justice.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.

SUBCHAPTER D. TAXES

Sec. 6604.151. AD VALOREM TAX FOR MAINTENANCE AND OPERATIONS. (a) The commissioners court may impose a tax at a rate not to exceed 25 cents on each \$100 valuation of taxable property in the district to pay the cost of maintaining district property and operating the district.

(b) The commissioners court may not impose the tax until the tax is authorized at an election:

(1) called for that purpose by the commissioners court in the manner provided by Section [6604.205](#); and

(2) at which a majority of the voters voting at the election vote in favor of the imposition of the tax.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.152. TAX ASSESSOR-COLLECTOR. The county tax assessor-collector of Fort Bend County is the tax assessor-collector for the district.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.

SUBCHAPTER E. BONDS

Sec. 6604.201. AUTHORITY TO ISSUE BONDS. The commissioners court may:

(1) issue district bonds to finance carrying out any power or purpose granted by this chapter to the district; and

(2) provide for the payment of the interest on the bonds as it accrues and for a sinking fund for the redemption of the bonds as they mature by imposing a tax on all taxable property in the district, as shown by the most recent certified appraisal roll of the district, at a rate sufficient for that purpose.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.202. LIMITATION ON DEBT. The total principal amount of bonds issued under Section 6604.201 that the district may have outstanding at any time may not exceed five percent of the assessed value of all taxable property in the district as shown by the most recent appraisal roll of the district.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.203. FORM OF BONDS. (a) A district bond issued under this chapter must be:

(1) issued in the name of the district;

(2) signed by the county judge of Fort Bend County; and

(3) attested by the county clerk of Fort Bend County.

(b) If the bond is issued with one or more interest coupons, the coupons must be signed by the county judge and the county clerk of Fort Bend County.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.204. MATURITY. District bonds issued under Section 6604.201 must mature not later than 30 years after their date of issuance.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.205. ELECTION FOR BONDS PAYABLE FROM TAXES. (a) The commissioners court may not issue district bonds under Section [6604.201](#) until the issuance of the bonds and the imposition of taxes to pay the principal of and interest on the bonds are authorized by a majority of the voters voting at an election called for that purpose.

(b) The proposition for the issuance of district bonds may be submitted at any time the commissioners court considers proper.

(c) Chapter [1251](#), Government Code, applies to a district bond election except to the extent of any conflict with this chapter.

(d) If a majority of the voters voting at a district bond election vote in favor of the issuance of bonds and the imposition of taxes, the commissioners court may:

- (1) issue, sell, and deliver the bonds;
- (2) receive, use, and apply the proceeds for district purposes; and
- (3) impose taxes on all property subject to taxation in the district.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.

Sec. 6604.206. ISSUANCE OF CERTAIN TIME WARRANTS PROHIBITED. The district may not issue time warrants payable from taxes.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.03, eff. April 1, 2011.