

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE A. DRAINAGE DISTRICTS

CHAPTER 6611. WILLACY COUNTY DRAINAGE DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6611.001. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "Director" means a member of the board.

(3) "District" means the Willacy County Drainage District No. 2.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.002. NATURE OF DISTRICT. The district is a conservation and reclamation district created under Section [59](#), Article XVI, Texas Constitution, for the sole purpose of the reclamation and drainage of the district's overflowed lands and other lands needing drainage.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

(a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the creation of the district and the improvements the district will purchase, construct, or otherwise acquire.

(c) The district is essential to accomplish the purposes of Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.004. DISTRICT TERRITORY. The district is composed of the territory described by Section 2, Chapter 11, Acts of the 61st Legislature, Regular Session, 1969, as that territory

may have been modified under:

- (1) Subchapter G, Chapter 53, Water Code, before September 1, 1995;
- (2) Subchapter J, Chapter 49, Water Code; or
- (3) other law.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. 1162), Sec. 1.01, eff. April 1, 2017.

#### SUBCHAPTER B. DISTRICT ADMINISTRATION

Sec. 6611.051. COMPOSITION OF BOARD. The board consists of five elected directors.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. 1162), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.052. DUTIES OF COUNTY OFFICIALS IN CONNECTION WITH DISTRICT; DISTRICT OFFICERS, EMPLOYEES, AND AGENTS. (a) The county tax assessor-collector, county treasurer, and county depository of Willacy County shall perform all duties in connection with the district that they are required to perform by law in connection with official matters for Willacy County.

(b) The board 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.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. 1162), Sec. 1.01, eff. April 1, 2017.

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 6611.101. GENERAL POWERS AND DUTIES. To accomplish the purpose of reclaiming and draining the district's overflowed lands and other lands needing drainage, the district has all the rights, powers, privileges, and duties provided by general law applicable to a drainage district created under Section 59, Article

XVI, Texas Constitution.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 501 (H.B. [4454](#)), Sec. 1, eff. June 14, 2021.

Sec. 6611.102. DISTRICT POWERS. (a) The district may construct, acquire, improve, enlarge, extend, repair, maintain, or replace any wall, dam, dike, levee, embankment, canal, drain, tank, lateral, or pump that the board considers necessary to carry out the district's purpose.

(b) The district may make, construct, or otherwise acquire an improvement inside or outside the district's boundaries as necessary to carry out the powers granted by this chapter or general law.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.103. EMINENT DOMAIN. The district's power of eminent domain is confined to Willacy County.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.104. COST OF RELOCATING OR ALTERING PROPERTY. (a) In this section, "sole expense" means the actual cost of relocating, raising, lowering, rerouting, changing the grade of, or altering the construction of a facility described by Subsection (b) in providing comparable replacement without enhancement of the facility, after deducting from that cost the net salvage value of the old facility.

(b) If the district's exercise of the power of eminent domain, the power of relocation, or any other power granted under this chapter makes necessary relocating, raising, rerouting, changing the grade of, or altering the construction of a highway, railroad, electric transmission line, telephone or telegraph property or facility, or pipeline, the necessary action shall be

accomplished at the sole expense of the district.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.105. ADDITION OF TERRITORY TO DISTRICT. (a) In addition to adding land as provided by Subchapter [J](#), Chapter [49](#), Water Code, the district may add land as provided by this section. Land added to the district need not be contiguous to the district.

(b) The owner or owners of land may request by petition that the board include the land in the district.

(c) A petition under Subsection (b) must be filed with the board and describe the land to be added to the district. The description may be by metes and bounds or by lot and block number. The petition must be signed and executed in the manner provided by law for the conveyance of real estate.

(d) The board shall hear and consider a petition filed under this section. The board may grant the petition and add the land to the district if the board considers the addition to be to the advantage of the district.

(e) A petition granted under this section shall be filed and recorded in the deed records of Willacy County.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

#### SUBCHAPTER D. TAXES

Sec. 6611.151. AD VALOREM TAX FOR MAINTENANCE AND OPERATIONS. (a) The board 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) An election to authorize the imposition of the tax must be called by the board in the manner provided by Section [6611.204](#).

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.152. TAX ASSESSOR-COLLECTOR. The Willacy County tax assessor-collector is the tax assessor-collector for the district.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

#### SUBCHAPTER E. BONDS

Sec. 6611.201. AUTHORITY TO ISSUE BONDS; TAXES FOR BONDS.

(a) The board may issue district bonds to acquire money to accomplish any district purpose or carry out any power granted under this chapter to the district.

(b) The board may impose a tax on all taxable property in the district, as shown by the most recent certified appraisal roll of the district, sufficient to:

(1) provide for the payment of the interest on the bonds as the interest accrues; and

(2) create a sinking fund for the redemption of the bonds as the bonds mature.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.202. LIMITATION ON DEBT. The total principal amount of bonds issued under Section [6611.201](#) that the district may have outstanding at any time may not exceed 15 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 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.203. MATURITY. District bonds issued under Section [6611.201](#) must mature not later than 30 years after their date of issuance.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.

Sec. 6611.204. BOND ELECTION. (a) The board may submit a

proposition for the issuance of district bonds under Section [6611.201](#) at an election called for that purpose at any time the board considers proper.

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

(c) 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 board 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 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.01, eff. April 1, 2017.