

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE C. SPECIAL UTILITY DISTRICTS

For contingent expiration of this chapter, see Sec. 7204.003.

CHAPTER 7204. ROSE HILL SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7204.001. DEFINITION. In this chapter, "district" means the Rose Hill Special Utility District.

Added by Acts 2005, 79th Leg., Ch. 1169 (H.B. 3498), Sec. 1, eff. June 18, 2005.

Added by Acts 2005, 79th Leg., Ch. 1361 (S.B. 1894), Sec. 4.01, eff. June 18, 2005.

Sec. 7204.002. NATURE OF DISTRICT. The district is a special utility district in Kaufman County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Added by Acts 2005, 79th Leg., Ch. 1169 (H.B. 3498), Sec. 1, eff. June 18, 2005.

Added by Acts 2005, 79th Leg., Ch. 1361 (S.B. 1894), Sec. 4.01, eff. June 18, 2005.

Sec. 7204.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation and initial directors' election held before September 1, 2007:

(1) the district is dissolved on September 1, 2007, except that:

(A) any debts of the district incurred shall be paid;

(B) any assets of the district that remain after the payment of debts shall be transferred to Kaufman County; and

(C) the organization of the district shall be maintained until all debts are paid and remaining assets are transferred; and

(2) this chapter expires September 1, 2010.

Added by Acts 2005, 79th Leg., Ch. 1169 (H.B. [3498](#)), Sec. 1, eff. June 18, 2005.

Added by Acts 2005, 79th Leg., Ch. 1361 (S.B. [1894](#)), Sec. 4.01, eff. June 18, 2005.

Sec. 7204.004. APPLICABILITY OF OTHER SPECIAL UTILITY DISTRICT LAW. Except as otherwise provided by this chapter, Chapters [49](#) and [65](#), Water Code, apply to the district.

Added by Acts 2005, 79th Leg., Ch. 1169 (H.B. [3498](#)), Sec. 1, eff. June 18, 2005.

Added by Acts 2005, 79th Leg., Ch. 1361 (S.B. [1894](#)), Sec. 4.01, eff. June 18, 2005.

Sec. 7204.005. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act creating this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act creating this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect:

(1) the organization, existence, or validity of the district;

(2) the right of the district to issue any type of bond, including a refunding bond, for a purpose for which the district is created or to pay the principal of and interest on a bond; or

(3) the legality or operation of the district or the board of directors of the district.

Added by Acts 2005, 79th Leg., Ch. 1169 (H.B. [3498](#)), Sec. 1, eff. June 18, 2005.

Added by Acts 2005, 79th Leg., Ch. 1361 (S.B. [1894](#)), Sec. 4.01, eff. June 18, 2005.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7204.051. DIRECTORS. The district is governed by a board of not fewer than five and not more than 11 directors.

Added by Acts 2005, 79th Leg., Ch. 1169 (H.B. [3498](#)), Sec. 1, eff. June 18, 2005.

Added by Acts 2005, 79th Leg., Ch. 1361 (S.B. [1894](#)), Sec. 4.01, eff. June 18, 2005.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7204.101. GENERAL POWERS. Except as otherwise provided by this subchapter, the district has all of the rights, powers, privileges, authority, functions, and duties provided by the general law of this state, including Chapters [49](#) and [65](#), Water Code, applicable to special utility districts created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2005, 79th Leg., Ch. 1169 (H.B. [3498](#)), Sec. 1, eff. June 18, 2005.

Added by Acts 2005, 79th Leg., Ch. 1361 (S.B. [1894](#)), Sec. 4.01, eff. June 18, 2005.

Sec. 7204.102. WATER SERVICE IMPACT FEE. (a) The district may charge a water service impact fee that is equal to the sum of the equity buy-in fee, aids to construction fee, and connection fee charged by the Rose Hill Water Supply Corporation on January 15, 2005, under that corporation's tariff.

(b) Chapter [395](#), Local Government Code, does not apply to the initial water service impact fee set under this section.

(c) The district may increase the water service impact fee only as provided by Chapter [395](#), Local Government Code, or as approved by the Texas Commission on Environmental Quality.

Added by Acts 2005, 79th Leg., Ch. 1169 (H.B. [3498](#)), Sec. 1, eff. June 18, 2005.

Added by Acts 2005, 79th Leg., Ch. 1361 (S.B. [1894](#)), Sec. 4.01, eff. June 18, 2005.

Sec. 7204.103. EMINENT DOMAIN. (a) Except as provided by Subsection (b), the district has all the authority under Chapters [49](#) and [65](#), Water Code, of a special utility district to acquire by condemnation any land, easement, or other property located inside

or outside the boundaries of the district for any district project or purpose.

(b) The district may not exercise the power of eminent domain to condemn, for sanitary sewer purposes, land, easements, or other property located outside the boundaries of the district.

Added by Acts 2005, 79th Leg., Ch. 1169 (H.B. [3498](#)), Sec. 1, eff. June 18, 2005.

Added by Acts 2005, 79th Leg., Ch. 1361 (S.B. [1894](#)), Sec. 4.01, eff. June 18, 2005.