

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE C. SPECIAL UTILITY DISTRICTS

For contingent expiration of this chapter, see Sec. 7205.003.

CHAPTER 7205. STEPHENS REGIONAL SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7205.001. DEFINITION. In this chapter, "district" means the Stephens Regional Special Utility District.

Added by Acts 2005, 79th Leg., Ch. 605 (H.B. 2079), Sec. 1, eff. June 17, 2005.

Sec. 7205.002. NATURE OF DISTRICT. The district is a special utility district in Stephens, Eastland, Palo Pinto, Shackelford, and Throckmorton Counties created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Added by Acts 2005, 79th Leg., Ch. 605 (H.B. 2079), Sec. 1, eff. June 17, 2005.

Sec. 7205.003. 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 Stephens, Eastland, Palo Pinto, Shackelford, or Throckmorton County as appropriate; 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. 605 (H.B. 2079), Sec. 1, eff. June 17, 2005.

Sec. 7205.004. 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. 605 (H.B. 2079), Sec. 1, eff. June 17, 2005.

Sec. 7205.005. 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. 605 (H.B. 2079), Sec. 1, eff. June 17, 2005.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7205.051. 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. 605 (H.B. 2079), Sec. 1, eff. June 17, 2005.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7205.101. 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. 605 (H.B. 2079), Sec. 1, eff. June 17, 2005.

Sec. 7205.102. WATER SERVICE IMPACT FEE. (a) The district may charge a water service impact fee that is equal to the equity buy-in fee charged by the Stephens County Rural Water Supply Corporation on January 31, 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. 605 (H.B. 2079), Sec. 1, eff. June 17, 2005.

Sec. 7205.103. EMINENT DOMAIN. (a) Except as provided by Subsection (b), the district has all the power and authority of a special utility district under Chapters 49 and 65, Water Code, 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 land, easements, or other property located outside the boundaries of the district for sanitary sewer purposes.

Added by Acts 2005, 79th Leg., Ch. 605 (H.B. 2079), Sec. 1, eff. June 17, 2005.