

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE C. SPECIAL UTILITY DISTRICTS

For contingent expiration of this chapter, see Section 7208.0103.

CHAPTER 7208. SPRINGS HILL SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7208.0101. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Corporation" means the Springs Hill Water Supply Corporation.
- (3) "Director" means a board member.
- (4) "District" means the Springs Hill Special Utility District.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. 5303), Sec. 1, eff. September 1, 2023.

Sec. 7208.0102. NATURE OF DISTRICT. The district is a special utility district in Guadalupe and Wilson Counties created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution. The district is created to serve a public use and benefit.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. 5303), Sec. 1, eff. September 1, 2023.

Sec. 7208.0103. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation and initial directors' election held before September 1, 2026:

- (1) the district is dissolved on September 1, 2026, except that the district shall:
  - (A) pay any debts incurred;
  - (B) transfer to Guadalupe or Wilson County, as appropriate, any assets of the district that remain after the payment of debts; and
  - (C) maintain the organization of the district until all debts are paid and remaining assets are transferred; and

(2) this chapter expires September 1, 2027.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. 5303), Sec. 1, eff. September 1, 2023.

Sec. 7208.0104. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, Chapters 49 and 65, Water Code, apply to the district.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. 5303), Sec. 1, eff. September 1, 2023.

Sec. 7208.0105. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting 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 the district's:

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. 5303), Sec. 1, eff. September 1, 2023.

For expiration of this subchapter, see Section 7208.0154.

#### SUBCHAPTER A-1. TEMPORARY PROVISIONS

Sec. 7208.0151. TEMPORARY DIRECTORS. (a) The temporary board of directors of the district is composed of:

(1) James Martin;

(2) Irene Moreno-Ybarra;

(3) Bernard Mueller;

(4) Deborah Magin;

(5) Keith Steffen; and

(6) Michael Andrews.

(b) Each temporary director shall qualify for office as provided by Section 49.055, Water Code.

(c) If a temporary director fails to qualify for office, the temporary directors who have qualified shall appoint a person to fill the vacancy. If at any time there are fewer than four qualified temporary directors, the Texas Commission on Environmental Quality shall appoint the necessary number of directors to fill all vacancies on the board.

(d) Temporary directors serve until the earlier of:

(1) the date initial directors are elected under Section 7208.0152; or

(2) the date this chapter expires under Section 7208.0103.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. 5303), Sec. 1, eff. September 1, 2023.

Sec. 7208.0152. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. (a) Before September 1, 2026, the temporary directors shall hold an election to confirm the creation of the district and to elect six initial directors in accordance with Chapters 49 and 65, Water Code.

(b) The temporary board of directors shall determine the method for determining the initial term of each person on the initial board of directors. The terms must be clearly stated on the ballot for the confirmation and directors' election.

(c) Section 41.001(a), Election Code, does not apply to a confirmation and directors' election held as provided by this section.

(d) The initial directors shall continue to serve until the district directors elected at the first regularly scheduled election of directors qualify for office.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. 5303), Sec. 1, eff. September 1, 2023.

Sec. 7208.0153. TRANSFER OF ASSETS; DISSOLUTION. (a) If the creation of the district is confirmed under Section 7208.0152, the corporation shall transfer the assets, debts, and contractual

rights and obligations of the corporation to the district.

(b) Following the transfer under Subsection (a):

(1) the board of directors of the corporation shall commence dissolution proceedings of the corporation;

(2) Certificate of Convenience and Necessity No. 10666 is considered to be held by the district; and

(3) the board of directors of the corporation shall notify:

(A) the Texas Commission on Environmental Quality of the dissolution of the corporation; and

(B) the Public Utility Commission of Texas of the transfer of Certificate of Convenience and Necessity No. 10666 to the district.

(c) On receipt of notice under Subsection (b)(3)(B), the Public Utility Commission of Texas shall note in its records that Certificate of Convenience and Necessity No. 10666 is held by the district and shall reissue the certificate in the name of the district without further application, notice, or hearing. A person, party, or entity does not have any right of protest, objection, or administrative review of the transfer prescribed by this section.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. [5303](#)), Sec. 1, eff. September 1, 2023.

Sec. 7208.0154. EXPIRATION OF SUBCHAPTER. This subchapter expires September 1, 2027.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. [5303](#)), Sec. 1, eff. September 1, 2023.

#### SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7208.0201. DIRECTORS. The district shall be governed by a board of not fewer than 5 and not more than 11 directors, elected in accordance with Section [65.103](#), Water Code.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. [5303](#)), Sec. 1, eff. September 1, 2023.

## SUBCHAPTER C. POWERS AND DUTIES

Sec. 7208.0301. GENERAL POWERS. Except as otherwise provided by this chapter, 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 2023, 88th Leg., R.S., Ch. 373 (H.B. 5303), Sec. 1, eff. September 1, 2023.

Sec. 7208.0302. WATER SERVICE IMPACT FEE. (a) The district may charge an initial water service impact fee that is not greater than the capital recovery fee charged by the corporation on September 1, 2023, under the corporation's tariff.

(b) Chapter 395, Local Government Code, does not apply to an initial water service impact fee set under Subsection (a).

(c) The district may increase the water service impact fee authorized under Subsection (a) only as provided by Chapter 395, Local Government Code, as approved by the Texas Commission on Environmental Quality, or as otherwise provided by law.

Added by Acts 2023, 88th Leg., R.S., Ch. 373 (H.B. 5303), Sec. 1, eff. September 1, 2023.