

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE C. SPECIAL UTILITY DISTRICTS

For contingent expiration of this chapter, see Section 7211.003.

CHAPTER 7211. SAN JACINTO SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7211.001. DEFINITION. In this chapter, "district" means the San Jacinto Special Utility District.

Added by Acts 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.

Sec. 7211.002. NATURE OF DISTRICT. The district is a special utility district in San Jacinto County 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 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.

Sec. 7211.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation and initial directors' election held before September 1, 2009:

(1) the district is dissolved on September 1, 2009, 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 San Jacinto 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, 2012.

Added by Acts 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.

Sec. 7211.004. 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 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.

Sec. 7211.005. 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 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7211.051. DIRECTORS. The district is governed by a board of not fewer than five and not more than 11 directors.

Added by Acts 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.

Sec. 7211.052. QUALIFICATIONS FOR DIRECTORS. Notwithstanding Section 65.102, Water Code, to be qualified to serve as a director, a person must be:

(1) at least 18 years old;

(2) a resident citizen of this state; and

(3) either a user of the district facilities or a

qualified voter of the district.

Added by Acts 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7211.101. GENERAL POWERS. The district has all of the rights, powers, privileges, 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 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.

Sec. 7211.102. WATER SERVICE IMPACT FEE. (a) The district may charge a water service impact fee that is equal to the tap fee charged by the San Jacinto Water Supply Corporation on December 31, 2006, 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 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.

Sec. 7211.103. LIMIT ON EMINENT DOMAIN POWER. 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 2007, 80th Leg., R.S., Ch. 528 (S.B. 853), Sec. 1, eff. June 16, 2007.