

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE C. SPECIAL UTILITY DISTRICTS
CHAPTER 7216. JOHNSON COUNTY SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7216.001. 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 Johnson County Special Utility District.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.03, eff. April 1, 2017.

Sec. 7216.002. NATURE OF DISTRICT. The district is a conservation and reclamation district in Johnson, Hill, Ellis, and Tarrant Counties created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.03, eff. April 1, 2017.

Sec. 7216.003. 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 works and projects accomplished by the district under the powers conferred by Section [59](#), Article XVI, Texas Constitution.

(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. 1.03, eff. April 1, 2017.

Sec. 7216.004. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 3, Chapter 780, Acts of the 78th Legislature, Regular Session, 2003, as that territory

may have been modified under:

- (1) Subchapter [J](#), Chapter [49](#), Water Code;
- (2) Subchapter [H](#), Chapter [65](#), Water Code; or
- (3) other law.

(b) The boundaries and field notes of the district form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect:

- (1) the district's organization, existence, or validity;
- (2) the district's right to issue bonds or refunding bonds or to pay the principal of and interest on the bonds; or
- (3) the legality or operation of the district or the board.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.03, eff. April 1, 2017.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7216.051. COMPOSITION OF BOARD. The district is governed by a board of not fewer than 5 or more than 11 elected directors.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.03, eff. April 1, 2017.

SUBCHAPTER C. POWERS AND DUTIES

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see H.B. [5671](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 7216.101. SPECIAL UTILITY DISTRICT POWERS. Except as specifically limited by Section [7216.102](#), the district has all of the rights, powers, privileges, authority, functions, and duties provided by general law applicable to a special utility district created under Section [59](#), Article XVI, Texas Constitution, including those provided by Chapters [49](#) and [65](#), Water Code.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.03,

eff. April 1, 2017.

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see H.B. [5671](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 7216.102. LIMITATION OF CERTAIN POWERS. (a) Before June 20, 2009, the district:

(1) shall limit the exercise of its powers related to the provision of public water utility service to territory that is located within the boundaries of the district or as authorized by Certificate of Convenience and Necessity No. 10081; and

(2) may not provide wastewater service, solid waste service, firefighting service, or stormwater, flood control, and drainage services and may not convert to or otherwise become a municipal utility district, absent the express written consent of any municipality with extraterritorial jurisdiction that overlaps the district's boundaries.

(b) On or after June 20, 2009, to exercise a power restricted by this section, the district must file an application with the Texas Commission on Environmental Quality, if allowed by the law in existence at that time, to exercise that additional power. In addition to filing an application seeking expansion of the district's powers, the district must apply for a sewer certificate of convenience and necessity for the district to provide retail wastewater service. The district shall provide notice and a copy of an application for expansion of powers to each municipality whose jurisdiction, including extraterritorial jurisdiction, overlaps the district's boundaries, in addition to complying with any other applicable notice requirements.

(c) If a municipality that is entitled to the notice required by Subsection (b) files a request for a contested case hearing within 60 days after receipt of the notice, the Texas Commission on Environmental Quality shall directly refer the application to the State Office of Administrative Hearings for a contested case hearing.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.03,

eff. April 1, 2017.

Sec. 7216.103. DISTRICT RULES. The district may adopt and enforce reasonable rules.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.03, eff. April 1, 2017.

Sec. 7216.104. CONFLICT WITH MUNICIPAL REGULATION. (a) If a municipality asserts regulatory authority, including water quality standards, over a geographic area located within the district's jurisdiction, the municipality's regulation controls over the district's regulation if there is a regulatory conflict.

(b) This section does not apply to:

- (1) potable water quality standards; or
- (2) a dispute relating to retail water utility service areas.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.03, eff. April 1, 2017.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7216.151. TAX-EXEMPT BOND FINANCING; SALES TAX EXEMPTION. This chapter may not be construed to impair the district's ability or right to obtain tax-exempt bond financing or a state sales tax exemption.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.03, eff. April 1, 2017.