

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE F. MUNICIPAL UTILITY DISTRICTS

Chapter 8026A, consisting of Secs. 8026A.0101 to 8026A.0402, was added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. 5411), Sec. 1.

For another Chapter 8026A, consisting of Secs. 8026A.0101 to 8026A.0106, added by Acts 2023, 88th Leg., R.S., Ch. 794 (H.B. 5418), Sec. 1, see Sec. 8026A.0101 et seq., post.

CHAPTER 8026A. TWINWOOD MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8026A.0101. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Commission" means the Texas Commission on Environmental Quality.
- (3) "Director" means a board member.
- (4) "District" means the Twinwood Municipal Utility District No. 1.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. 5411), Sec. 1, eff. June 12, 2023.

Sec. 8026A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. 5411), Sec. 1, eff. June 12, 2023.

Sec. 8026A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. 5411), Sec. 1, eff. June 12, 2023.

Sec. 8026A.0104. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

- (a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. 5411), Sec. 1, eff. June 12, 2023.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8026A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8026A.0202, directors serve staggered four-year terms.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. 5411), Sec. 1, eff. June 12, 2023.

Sec. 8026A.0202. TEMPORARY DIRECTORS. (a) The temporary board consists of:

- (1) LaKeta Morris;
- (2) Brian Alexander;
- (3) Jennifer Ramirez;
- (4) Kyle Jones; and
- (5) John Northington Jr.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8026A.0103; or

(2) the fourth anniversary of the effective date of the Act enacting this chapter.

(c) If permanent directors have not been elected under Section 8026A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

- (1) the date permanent directors are elected under

Section [8026A.0103](#); or

(2) the fourth anniversary of the date of the appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. [5411](#)), Sec. 1, eff. June 12, 2023.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8026A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. [5411](#)), Sec. 1, eff. June 12, 2023.

Sec. 8026A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters [49](#) and [54](#), Water Code, applicable to municipal utility districts created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. [5411](#)), Sec. 1, eff. June 12, 2023.

Sec. 8026A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section [52](#), Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. [5411](#)), Sec. 1,

eff. June 12, 2023.

Sec. 8026A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. [5411](#)), Sec. 1, eff. June 12, 2023.

Sec. 8026A.0305. DIVISION OF DISTRICT. (a) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(b) An order dividing a district may create one or more new districts and may provide for the continuation of the district.

(c) An order dividing the district shall:

- (1) name any new district;
 - (2) include the metes and bounds description of the territory of each of the districts;
 - (3) appoint temporary directors for any new district;
- and
- (4) provide for the division of assets and liabilities between the districts.

(d) The board may adopt an order dividing the district before or after the date the board holds an election to confirm the district's creation.

(e) The district may be divided only if the district:

- (1) has never issued any bonds; and

(2) is not imposing ad valorem taxes.

(f) A new district created by the division of the district may not, at the time the new district is created, contain any land outside the territory of the district as it existed on January 1, 2023.

(g) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the commission and record the order in the real property records of each county in which the district is located.

(h) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.

(i) A new district created by the division of the district shall hold a confirmation and directors' election.

(j) If the creation of the new district is confirmed, the new district shall provide the election date and results to the commission.

(k) A new district created by the division of the district must hold an election as required by this chapter to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes.

(l) The district may continue to rely on confirmation, directors', bond, or tax elections held prior to the division.

(m) Municipal consent to the creation of the district and to the inclusion of land in the district acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. [5411](#)), Sec. 1, eff. June 12, 2023.

SUBCHAPTER D. BONDS AND OTHER OBLIGATIONS

Sec. 8026A.0401. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for a road project

authorized by Section [8026A.0303](#).

(b) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

(c) At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. [5411](#)), Sec. 1, eff. June 12, 2023.

Sec. 8026A.0402. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections [54.601](#) and [54.602](#), Water Code.

Added by Acts 2023, 88th Leg., R.S., Ch. 651 (H.B. [5411](#)), Sec. 1, eff. June 12, 2023.