

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE F. MUNICIPAL UTILITY DISTRICTS

For contingent expiration of this chapter, see Sec. 8134.003.

CHAPTER 8134. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 19

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8134.001. 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 Williamson County Municipal Utility District No. 19.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. 3524), Sec. 1, eff. September 1, 2005.

Sec. 8134.002. NATURE OF DISTRICT. The district is a municipal utility district in Williamson County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. 3524), Sec. 1, eff. September 1, 2005.

Sec. 8134.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8134.023 before September 1, 2009:

(1) the district is dissolved September 1, 2009, except that:

(A) any debts incurred shall be paid;

(B) any assets that remain after the payment of debts shall be transferred to Williamson 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 2005, 79th Leg., Ch. 1328 (H.B. 3524), Sec. 1, eff.

September 1, 2005.

Sec. 8134.004. 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 impose taxes; or

(3) the legality or operation of the board.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. 3524), Sec. 1, eff. September 1, 2005.

Sec. 8134.005. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, Chapters 30, 49, and 54, Water Code, apply to the district.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. 3524), Sec. 1, eff. September 1, 2005.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8134.051. DIRECTORS; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms that expire June 1 of even-numbered years.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. 3524), Sec. 1, eff. September 1, 2005.

Sec. 8134.052. ELECTION OF DIRECTORS. On the uniform election date in May of each even-numbered year, the appropriate number of directors shall be elected.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. 3524), Sec. 1, eff. September 1, 2005.

SUBCHAPTER C. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

Sec. 8134.101. DIVISION OF DISTRICT; PREREQUISITES. (a) At any time before the district issues indebtedness secured by taxes or net revenues, the district, including any annexed territory, may be divided into an original district and one or more new districts. The board shall determine which portion of the divided area constitutes the original district.

(b) A district created by division of the original district under Subsection (a) may further subdivide as determined by the board of that district.

(c) After a division under Subsection (a) or (b), the original district and any new district created must be at least 100 acres.

(d) The board by resolution may declare an intent to divide the district. The resolution must:

(1) set the terms of the division, including a plan for the payment or performance of any outstanding district obligations; and

(2) contain a metes and bounds description for each district, including the modified original district.

(e) Section 42.042, Local Government Code, and Section 54.016, Water Code, do not apply to the creation of a new district by division under this subchapter.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. 3524), Sec. 1, eff. September 1, 2005.

Sec. 8134.102. DISTRICT DIVISION BY ELECTION. (a) Except as provided by Section 8134.103, the board shall hold an election in the district to determine whether the district should be divided as proposed under Section 8134.101(d).

(b) The board shall give notice of the election not later than the 20th day before the date of the election. The notice must state:

(1) the date and location of the election; and

(2) the proposition to be voted on.

(c) If a majority of the votes cast are in favor of the

division, the district is divided.

(d) If less than a majority of the votes cast are in favor of the division, the district may not be divided.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. [3524](#)), Sec. 1, eff. September 1, 2005.

Sec. 8134.103. DISTRICT DIVISION BY CONSENT. (a) The board may approve and order the division of the district without an election if the board has received written consent to the proposed division from all title holders of the land in the proposed new district or districts as indicated by the tax rolls of the central appraisal district.

(b) If the board orders the division without an election, the district is divided as of the date of the order.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. [3524](#)), Sec. 1, eff. September 1, 2005.

Sec. 8134.104. NOTICE OF DIVISION. Not later than the 30th day after the date of a division under this subchapter, the district shall provide written notice of the plan for division to:

- (1) the Texas Commission on Environmental Quality;
- (2) the attorney general;
- (3) the commissioners court of each county in which a new district is located; and
- (4) any municipality having extraterritorial jurisdiction over territory in a new district.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. [3524](#)), Sec. 1, eff. September 1, 2005.

Sec. 8134.105. DISTRICT NAMES FOLLOWING DIVISION. The area designated by the board as the original district retains the name of the original district. The resulting new districts are assigned consecutive letters to be appended to the name of the original district.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. [3524](#)), Sec. 1, eff. September 1, 2005.

Sec. 8134.106. ELECTION OF DIRECTORS OF NEW DISTRICTS. (a) After a division under this subchapter, the board shall continue to act as the board of the original district.

(b) Not later than the 90th day after the date of the division, the board shall appoint five directors for each of the new districts. A person appointed under this subsection is not required to own land in or reside in the district for which the person is appointed.

(c) Directors of the original district serve the staggered terms to which they were elected before the division. Directors appointed under Subsection (b) serve until June 1 following the election for directors under Subsection (d).

(d) On the uniform election date in May of the first even-numbered year after the year in which the directors are appointed, an election shall be held to elect five directors in each district for which directors were appointed under Subsection (b). Of the five directors elected in each district, the three directors receiving the greatest number of votes shall serve terms expiring June 1 following the second regularly scheduled election of directors under Subsection (e), and the remaining two directors shall serve terms expiring June 1 following the first regularly scheduled election of directors.

(e) Except as provided by Subsection (d), directors serve staggered four-year terms. On the uniform election date in May of each even-numbered year, the appropriate number of directors shall be elected.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. [3524](#)), Sec. 1, eff. September 1, 2005.

Sec. 8134.107. CONTINUING POWERS AND OBLIGATIONS OF NEW DISTRICTS. (a) Each new district may incur and pay debts and has all powers of the original district created by this chapter.

(b) If the district is divided as provided by this subchapter, the current obligations and any bond authorizations of the district are not impaired. Debts shall be paid by revenues or by taxes or assessments imposed on real property in the district as if the district had not been divided or by contributions from each

new district as stated in the terms set by the board in the plan for division.

(c) Any other district obligation shall be divided pro rata among the new districts and the original district on an acreage basis or on other terms that are satisfactory to the new districts. Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. [3524](#)), Sec. 1, eff. September 1, 2005.

Sec. 8134.108. CONTRACT AUTHORITY OF NEW DISTRICTS. The new districts may contract with each other for:

- (1) water and wastewater services; or
- (2) any other matter the boards of the new districts consider appropriate.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. [3524](#)), Sec. 1, eff. September 1, 2005.

Sec. 8134.109. ANNEXATION BY MUNICIPALITY. A municipality may annex the original district, or a new district that is created as a result of a division of the district under Section [8134.102](#) or [8134.103](#), only after:

(1) the district has installed at least 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:

(A) provide service to the proposed development within the district;

(B) accomplish the purposes for which the district was created; and

(C) exercise the powers provided by general law and this chapter; or

(2) at least 20 years have elapsed since the creation of the district was confirmed at an election held under Section 8134.023.

Added by Acts 2005, 79th Leg., Ch. 1328 (H.B. [3524](#)), Sec. 1, eff. September 1, 2005.