

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE F. MUNICIPAL UTILITY DISTRICTS

For contingent expiration of this chapter, see Section 8205.003.

CHAPTER 8205. WALLER COUNTY MUNICIPAL UTILITY DISTRICT

NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8205.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Director" means a board member.
- (3) "District" means the Waller County Municipal Utility District No. 1.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. 684), Sec. 1, eff. September 1, 2007.

Sec. 8205.002. NATURE OF DISTRICT. The district is a municipal utility district in Waller County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. 684), Sec. 1, eff. September 1, 2007.

Sec. 8205.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8205.024 before September 1, 2011:

(1) the district is dissolved September 1, 2011, except that the district shall:

- (A) pay any debts incurred;
- (B) transfer to Waller County any assets 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, 2014.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. 684), Sec. 1, eff. September 1, 2007.

Sec. 8205.004. 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;

(3) the validity of the district's bonds, notes, or indebtedness; or

(4) the legality or operation of the district or the board.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. 684), Sec. 1, eff. September 1, 2007.

Sec. 8205.005. EFFECT OF CHAPTER ON BROOKSHIRE-KATY DRAINAGE DISTRICT OF WALLER COUNTY. This chapter does not affect the powers of the Brookshire-Katy Drainage District of Waller County.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. 684), Sec. 1, eff. September 1, 2007.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8205.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. 684), Sec. 1, eff. September 1, 2007.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8205.101. 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 2007, 80th Leg., R.S., Ch. 518 (S.B. [684](#)), Sec. 1, eff. September 1, 2007.

Sec. 8205.102. ROAD PROJECTS. (a) The district may construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads or turnpikes, or improvements in aid of those roads or turnpikes, inside the district.

(b) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of:

(1) each municipality in whose corporate limits or extraterritorial jurisdiction the district is located; and

(2) each county in whose jurisdiction the district is located.

(c) The district may not undertake a road project unless each municipality in whose corporate limits or extraterritorial jurisdiction the district is located consents by resolution.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. [684](#)), Sec. 1, eff. September 1, 2007.

Sec. 8205.103. DIVISION OF DISTRICT. (a) The district may be divided into two new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

(b) The division procedure is prescribed by Sections [53.030](#) through [53.041](#), Water Code.

(c) Any new district created by the division of the district has all the powers and duties of the district.

(d) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 2 of the Act creating this chapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. [684](#)), Sec. 1, eff. September 1, 2007.

Sec. 8205.104. COMPLIANCE WITH MUNICIPAL CONSENT RESOLUTIONS. The district shall comply with all applicable requirements of any resolution, adopted by the governing body of a municipality, that consents to the creation of the district or to the inclusion of land in the district.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. 684), Sec. 1, eff. September 1, 2007.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8205.151. TAX TO REPAY BONDS. The district may impose a tax to pay the principal of or interest on bonds or other obligations issued under Section 8205.201.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. 684), Sec. 1, eff. September 1, 2007.

SUBCHAPTER E. BONDS

Sec. 8205.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may issue bonds or other obligations as provided by Chapters 49 and 54, Water Code, to finance the construction, maintenance, or operation of a project under Section 8205.101 or 8205.102.

(b) The district may not issue bonds or other obligations to finance projects authorized by Section 8205.102 unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election called for that purpose.

(c) Bonds or other obligations issued or incurred to finance projects authorized by Section 8205.102 may not exceed one-fourth of the assessed value of the real property in the district.

Added by Acts 2007, 80th Leg., R.S., Ch. 518 (S.B. 684), Sec. 1, eff. September 1, 2007.