

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE F. MUNICIPAL UTILITY DISTRICTS
CHAPTER 8294. EMERALD BAY MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8294.001. DEFINITION. In this chapter, "district" means Emerald Bay Municipal Utility District.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Renumbered from Special District Local Laws Code, Section 8159.001 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(78), eff. September 1, 2009.

Sec. 8294.002. NATURE OF DISTRICT. (a) The district is a conservation and reclamation district in Smith County created under Section 59, Article XVI, Texas Constitution.

(b) The district is a political subdivision of the state. Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Renumbered from Special District Local Laws Code, Section 8159.002 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(78), eff. September 1, 2009.

Sec. 8294.003. 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 Section 59, Article XVI, Texas Constitution.

(c) The creation of the district is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Renumbered from Special District Local Laws Code, Section 8159.003 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(78), eff. September 1, 2009.

Sec. 8294.004. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 2(a), Chapter 722, Acts of the 68th Legislature, Regular Session, 1983, as that territory may have been modified under:

- (1) Subchapter [H](#), Chapter [54](#), Water Code;
- (2) Subchapter [J](#), Chapter [49](#), Water Code; or
- (3) other law.

(b) The boundaries of the district form a closure. A mistake in the description of the boundaries under Section 2(a), Chapter 722, Acts of the 68th Legislature, Regular Session, 1983, does not affect:

- (1) the district's organization, existence, and validity;
- (2) the district's right to issue bonds for a purpose for which the district is created or to pay the principal of and interest on the bonds; or
- (3) the legality or operation of the district or its governing body.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

Renumbered from Special District Local Laws Code, Section 8159.004 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. [1969](#)), Sec. 27.001(78), eff. September 1, 2009.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8294.051. COMPOSITION OF BOARD. The district is governed by a board of five directors who serve staggered terms.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

Renumbered from Special District Local Laws Code, Section 8159.051 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. [1969](#)), Sec. 27.001(78), eff. September 1, 2009.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8294.101. MUNICIPAL UTILITY DISTRICT POWERS. The district may exercise the rights, powers, privileges, and functions provided by general law applicable to a municipal utility district created under Section 59, Article XVI, Texas Constitution, including Chapters 49 and 54, Water Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Renumbered from Special District Local Laws Code, Section 8159.101 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(78), eff. September 1, 2009.

Sec. 8294.102. GENERAL CONTRACT POWERS. The district may enter into a water supply, sewage treatment, solid waste, or drainage contract, or any combination of those contracts, with a municipal corporation, political subdivision, or private entity.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Renumbered from Special District Local Laws Code, Section 8159.102 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(78), eff. September 1, 2009.

Sec. 8294.103. CONTRACTS TO ACQUIRE EXISTING WATER OR SEWER SYSTEMS. A contract for the acquisition of an existing water or sewer facility may be made on terms approved by the contracting parties.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Renumbered from Special District Local Laws Code, Section 8159.103 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 27.001(78), eff. September 1, 2009.

Sec. 8294.104. VOTER APPROVAL OF CERTAIN CONTRACTS. (a) A contract that provides for the district to make payment from taxes other than maintenance taxes must be approved by a majority of the district voters voting on the question at an election held for that purpose.

(b) The election shall be held in the same manner as an

election for the issuance of bonds payable from taxes by a municipal utility district.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

Renumbered from Special District Local Laws Code, Section 8159.104 by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. [1969](#)), Sec. 27.001(78), eff. September 1, 2009.