

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE F. MUNICIPAL UTILITY DISTRICTS
CHAPTER 8467. ELLIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8467.001. DEFINITIONS. In this chapter:

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

Added by Acts 2013, 83rd Leg., R.S., Ch. 1116 (H.B. 3877), Sec. 1, eff. June 14, 2013.

Sec. 8467.002. NATURE OF DISTRICT. The district is a municipal utility district created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1116 (H.B. 3877), Sec. 1, eff. June 14, 2013.

Sec. 8467.003. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

(a) All land and other property in the district will benefit from the improvements and services to be provided by the district.

(b) The district is created to accomplish the purposes of 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 2013, 83rd Leg., R.S., Ch. 1116 (H.B. 3877), Sec. 1, eff. June 14, 2013.

Sec. 8467.004. ANNEXATION BY MUNICIPALITY. Notwithstanding any other law, on the written consent of the landowners and the district, a municipality in whose extraterritorial jurisdiction the district is located may annex a portion of the district. The

district is not dissolved as a result of an annexation under this section.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1116 (H.B. 3877), Sec. 1, eff. June 14, 2013.

Sec. 8467.005. LIMITED-PURPOSE ANNEXATION BY A MUNICIPALITY. (a) Notwithstanding any other law, the governing body of a municipality in whose extraterritorial jurisdiction the district is located may:

(1) enter into a strategic partnership agreement with the district; and

(2) annex all or a portion of the district for limited purposes under Section 43.0751, Local Government Code.

(b) An individual residing in the district is considered an inhabitant of a municipality for the purposes of determining the population of the municipality under Section 5, Article XI, Texas Constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1116 (H.B. 3877), Sec. 1, eff. June 14, 2013.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8467.051. 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 2013, 83rd Leg., R.S., Ch. 1116 (H.B. 3877), Sec. 1, eff. June 14, 2013.

Sec. 8467.052. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

(b) 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.

(c) 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 territory of the district as it existed on the date the district was created.

(d) 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.

(e) An order dividing the district must:

(1) name each new district;

(2) include the metes and bounds description of the territory of each new district;

(3) appoint temporary directors for each new district;

and

(4) provide for the division of assets and liabilities between or among the new districts.

(f) 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 Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(g) Any new district created by the division of the district shall hold a confirmation and directors' election as provided by Section [49.102](#), Water Code.

(h) 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.

(i) Any 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.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1116 (H.B. [3877](#)), Sec. 1, eff. June 14, 2013.

Sec. 8467.053. AUTHORITY FOR ROAD PROJECTS. Under Section [52](#), Article III, Texas Constitution, the district may acquire,

construct, improve, operate, or maintain macadamized, graveled, or paved roads or turnpikes, or improvements in aid of those roads or turnpikes inside the district.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1116 (H.B. [3877](#)), Sec. 1, eff. June 14, 2013.

Sec. 8467.054. 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 the district is located.

(b) If a district is not located in the corporate limits of a municipality and is not subject to a development agreement with a municipality, a road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each county in which 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 2013, 83rd Leg., R.S., Ch. 1116 (H.B. [3877](#)), Sec. 1, eff. June 14, 2013.

Sec. 8467.055. 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 consented to the creation of the district or to the inclusion of land in the district.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1116 (H.B. [3877](#)), Sec. 1, eff. June 14, 2013.

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 8467.101. TAX TO REPAY BONDS FOR ROAD PROJECTS. The district may impose a tax to pay the principal of or interest on bonds issued under Section [8467.151](#).

Added by Acts 2013, 83rd Leg., R.S., Ch. 1116 (H.B. [3877](#)), Sec. 1, eff. June 14, 2013.

SUBCHAPTER D. BONDS

Sec. 8467.151. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS FOR ROAD PROJECTS. (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 projects under Section 8467.053.

(b) The district may not issue bonds or other obligations secured wholly or partly by ad valorem taxation to finance projects authorized by Section 8467.053 unless the issuance is approved by a vote of a two-thirds majority of the voters in the district or of the defined areas to be benefited by the project as provided by Subchapter J, Chapter 54, Water Code, voting at an election called for that purpose.

(c) Bonds or other obligations issued or incurred to finance projects authorized by Section 8467.053 may not exceed one-fourth of the assessed value of the real property in the district or the defined area as provided by Subchapter J, Chapter 54, Water Code.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1116 (H.B. 3877), Sec. 1, eff. June 14, 2013.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1128 (H.B. 2590), Sec. 23, eff. September 1, 2019.