

SPECIAL DISTRICT LOCAL LAWS CODE  
TITLE 6. WATER AND WASTEWATER  
SUBTITLE F. MUNICIPAL UTILITY DISTRICTS  
CHAPTER 8471. NEEDMORE RANCH MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8471.001. 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 Needmore Ranch Municipal Utility District No. 1.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. [1868](#)), Sec. 1, eff. June 14, 2013.

Sec. 8471.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. [1868](#)), Sec. 1, eff. June 14, 2013.

Sec. 8471.003. CONFIRMATION AND DIRECTORS' 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 2013, 83rd Leg., R.S., Ch. 500 (S.B. [1868](#)), Sec. 1, eff. June 14, 2013.

Sec. 8471.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section [8471.003](#) until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. [1868](#)), Sec. 1,

eff. June 14, 2013.

Sec. 8471.005. LEGISLATIVE FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

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

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

(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; and

(3) Section 52-a, Article III, Texas Constitution, that relate to the development and diversification of the economy of this state.

(c) The creation of the district is necessary to develop, encourage, and maintain safety and the public welfare in the district.

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

(e) The district will:

(1) seek and provide funding for the district to maintain and enhance the economic health and vitality of the territory in the district as a residential community and business center; and

(2) provide for the preservation and conservation of the natural resources within the district, while protecting private property rights to develop and beneficially use those resources in an organized and lawfully regulated manner.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

Sec. 8471.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting 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 the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

#### SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8471.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8471.052, directors serve staggered four-year terms.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

Sec. 8471.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, 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 temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8471.003; 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 8471.003 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 8471.003; 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 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 8471.101. 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 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

Sec. 8471.102. 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. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

Sec. 8471.103. RESIDENTIAL OR PLANNED COMMUNITY DEVELOPMENT; WASTEWATER TREATMENT FACILITY. (a) In the event that

a residential subdivision or planned community is developed in the territory of the district, the district shall develop a wastewater treatment facility in coordination with Hays County and the City of Wimberley.

(b) A developer who proposes to build a residential subdivision or planned community in the territory of the district must agree to develop the property in a manner that works in conjunction with the design and specifications of any wastewater treatment facility developed under Subsection (a).

(c) Repealed by Acts 2015, 84th Leg., R.S., Ch. 914 , Sec. 2, eff. September 1, 2015.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 914 (S.B. 2075), Sec. 2, eff. September 1, 2015.

Sec. 8471.104. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 914 (S.B. 2075), Sec. 1, eff. September 1, 2015.

Sec. 8471.105. LIMITATION ON ANNEXATION. The district may not add land by petition of less than all the landowners under Section 49.302, Water Code.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 914 (S.B. 2075), Sec. 1, eff. September 1, 2015.

#### SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8471.151. ELECTIONS REGARDING TAXES OR BONDS.

(a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 8471.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

Sec. 8471.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8471.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

Sec. 8471.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. 1868), Sec. 1, eff. June 14, 2013.

#### SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8471.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees,

revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. [1868](#)), Sec. 1, eff. June 14, 2013.

Sec. 8471.202. TAXES FOR BONDS. (a) 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.

(b) The board's order to issue bonds and impose an ad valorem tax must provide that on retirement of the bonds for which the tax is originally authorized, unless a subsequent bond election authorizes a continuation of the tax, the imposition of the tax, including the district's authority to assess and collect the tax, ends.

Added by Acts 2013, 83rd Leg., R.S., Ch. 500 (S.B. [1868](#)), Sec. 1, eff. June 14, 2013.