

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE H. DISTRICTS GOVERNING GROUNDWATER
CHAPTER 8809. ANDERSON COUNTY UNDERGROUND WATER CONSERVATION
DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8809.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Director" means a board member.
- (3) "District" means the Anderson County Underground Water Conservation District.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.002. NATURE OF DISTRICT. The district is created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.003. LEGISLATIVE FINDINGS. The legislature finds that:

- (1) the creation of the district is feasible and practicable;
- (2) the district will benefit the land in the district;
- (3) there is a public necessity for the district; and
- (4) the district will provide a public use and benefit.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.004. DISTRICT TERRITORY. The district is composed of the territory described by Section 4, Chapter 992, Acts of the 70th Legislature, Regular Session, 1987, as that territory may have been modified under:

- (1) Subchapter J, Chapter 36, Water Code; or
- (2) other law.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8809.051. COMPOSITION OF BOARD; TERMS. (a) The board is composed of nine directors.

(b) Directors serve staggered four-year terms.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.052. ELECTION DATE. Every two years, an election shall be held on the uniform election date in May to elect the appropriate number of directors.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.053. QUALIFICATIONS FOR ELECTION. To be qualified for election as a director, a person must be:

- (1) a resident of the district; and
- (2) at least 18 years of age.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.054. BOARD RESOLUTIONS; VOTING REQUIREMENTS. (a) The district shall act by resolutions adopted by the board.

(b) All directors are entitled to vote.

(c) The affirmative vote of a majority of the board is necessary to adopt a resolution.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.055. NOTICE OF MEETINGS. The board must publish notice in a newspaper of general circulation in the district not later than the fifth day before the date the board is scheduled to

meet.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8809.101. GROUNDWATER CONSERVATION DISTRICT POWERS AND DUTIES. Except to the extent of any conflict with this chapter or as specifically limited by this chapter, the district is governed by and subject to Chapter 36, Water Code, and has the powers and duties provided by Chapter 36, Water Code.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.102. LIMITATIONS ON DISTRICT POWERS. The district does not have the power to issue bonds and impose taxes under Subchapters F and G, Chapter 36, Water Code.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.103. REGULATION OF GROUNDWATER PUMPING AND USE. The district may:

(1) prohibit the pumping or use of groundwater if the district determines that the pumping would present an unreasonable risk of pollution; or

(2) limit the pumping of groundwater to uses determined by the board to benefit the district.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.104. PURCHASE OF WATER BY INJECTION WELL PERMIT HOLDER. The district may require persons holding a permit for an injection well to purchase water from the district.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.105. DISPOSAL OF SALT DOME LEACHATE. The district

may:

- (1) adopt rules for the disposal of salt dome leachate in the district; or
- (2) require the disposal of salt dome leachate outside the district.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.106. WATER WELL FEES. (a) The district shall impose a fee on each water well at the time a permit is first issued and may impose an annual fee on each well.

(b) The amount of a well fee must be set according to:

- (1) the size of the column pipe used in the well;
- (2) the production capacity of the well; or
- (3) the amount of water produced.

(c) The board shall adopt rules relating to the rates for the fees.

(d) The board may:

- (1) adopt rules classifying the types of uses made of groundwater in the district; and
- (2) use the classifications to determine, in part, the amount of fees to be imposed under this section.

(e) The district may use money collected from fees to manage and operate the district.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.05, eff. April 1, 2011.

Sec. 8809.107. DISSOLUTION OF DISTRICT. The district may be dissolved as provided by Subchapter [P](#), Chapter [51](#), Water Code.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.05, eff. April 1, 2011.