

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE H. DISTRICTS GOVERNING GROUNDWATER

For contingent expiration of this chapter, see Sec. 8812.003.

CHAPTER 8812. VICTORIA COUNTY GROUNDWATER

CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8812.001. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "Director" means a member of the board.

(3) "District" means the Victoria County Groundwater Conservation District.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. [3423](#)), Sec. 1, eff. September 1, 2005.

Sec. 8812.002. NATURE OF DISTRICT. The district is a groundwater conservation district in Victoria County created under and essential to accomplish the purposes of Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. [3423](#)), Sec. 1, eff. September 1, 2005.

Sec. 8812.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held before September 1, 2010:

(1) the district is dissolved on September 1, 2010, except that:

(A) any debts incurred shall be paid;

(B) any assets that remain after the payment of debts shall be transferred to Victoria County; and

(C) the organization of the district shall be maintained until all debts are paid and remaining assets are transferred; and

(2) this chapter expires on September 1, 2013.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. 3423), Sec. 1, eff. September 1, 2005.

Sec. 8812.004. INITIAL DISTRICT TERRITORY. The initial boundaries of the district are coextensive with the boundaries of Victoria County, Texas.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. 3423), Sec. 1, eff. September 1, 2005.

Sec. 8812.005. APPLICABILITY OF OTHER GROUNDWATER CONSERVATION DISTRICT LAW. Except as otherwise provided by this chapter, Chapter 36, Water Code, applies to the district.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. 3423), Sec. 1, eff. September 1, 2005.

#### SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8812.051. DIRECTORS; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. 3423), Sec. 1, eff. September 1, 2005.

Sec. 8812.052. METHOD OF ELECTING DIRECTORS: COMMISSIONERS PRECINCTS. (a) The directors of the district shall be elected according to the commissioners precinct method as provided by this section.

(b) One director shall be elected by the voters of the entire district, and one director shall be elected from each county commissioners precinct by the voters of that precinct.

(c) Except as provided by Subsection (e), to be eligible to be a candidate for or to serve as director at large, a person must be at least 18 years of age and a resident of the district. To be a candidate for or to serve as director from a county commissioners precinct, a person must be at least 18 years of age and a resident of that precinct.

(d) A person shall indicate on the application for a place

on the ballot:

- (1) the precinct that the person seeks to represent;
- or
- (2) that the person seeks to represent the district at large.

(e) When the boundaries of the county commissioners precincts are redrawn after each federal decennial census to reflect population changes, a director in office on the effective date of the change, or a director elected or appointed before the effective date of the change whose term of office begins on or after the effective date of the change, shall serve in the precinct to which elected or appointed even though the change in boundaries places the person's residence outside the precinct for which the person was elected or appointed.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. 3423), Sec. 1, eff. September 1, 2005.

Sec. 8812.053. ELECTION DATE. The district shall hold an election to elect the appropriate number of directors on the uniform election date prescribed by Section 41.001, Election Code, in November of each even-numbered year.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. 3423), Sec. 1, eff. September 1, 2005.

Sec. 8812.054. VACANCIES. A vacancy on the board shall be filled by appointment of the board until the next regularly scheduled directors' election. The person appointed to fill the vacancy shall serve only for the remainder of the unexpired term.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. 3423), Sec. 1, eff. September 1, 2005.

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 8812.101. PROHIBITION ON DISTRICT USE OF EMINENT DOMAIN. The district may not exercise the power of eminent domain.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. 3423), Sec. 1, eff. September 1, 2005.

## SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8812.151. LIMITATION ON TAXES. The district may not impose ad valorem taxes at a rate that exceeds two cents on each \$100 of assessed valuation of taxable property in the district.

Added by Acts 2005, 79th Leg., Ch. 661 (H.B. [3423](#)), Sec. 1, eff. September 1, 2005.