

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE H. DISTRICTS GOVERNING GROUNDWATER
CHAPTER 8842. HEADWATERS GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8842.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Director" means a board member.
- (3) "District" means the Headwaters Groundwater Conservation District.

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

Sec. 8842.002. NATURE OF DISTRICT. The district is a groundwater conservation district in Kerr County created under and essential to accomplish the purposes of 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. 8842.003. FINDINGS OF PUBLIC USE AND BENEFIT. (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 the powers conferred by 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. 8842.004. DISTRICT TERRITORY. The district's boundaries are coextensive with the boundaries of Kerr County, unless the district's territory has 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. 8842.051. COMPOSITION OF BOARD; TERMS. (a) The district is governed by a board of five 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. 8842.052. ELECTION OF DIRECTORS. (a) Directors are elected according to the commissioners precinct method as provided by this section.

(b) One director is elected by the voters of the entire district. One director is elected from each county commissioners precinct by the voters of that precinct.

(c) 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.

(d) At the first election after the county commissioners precincts are redrawn under Section 18, Article V, Texas Constitution, a new director is elected from each precinct. The directors shall draw lots to determine which two directors shall serve two-year terms and which two directors shall serve four-year terms.

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

Sec. 8842.053. ELECTION DATE. (a) Except as provided by Subsection (b), directors' elections shall occur on the date of the general election for state and county officers.

(b) If directors' elections may not lawfully be held on the date described by Subsection (a), directors' elections shall occur on the uniform election date in May of odd-numbered years.

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

Sec. 8842.054. ELIGIBILITY. (a) To be eligible to serve on the board, a person must have been a resident of the district for at least one year before the date the person takes office as a director.

(b) To be qualified to be a candidate for or to serve as director at large, a person must be a registered voter in the district.

(c) To be a candidate for or to serve as director from a county commissioners precinct, a person must be a registered voter of that precinct.

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

Sec. 8842.055. COMPENSATION; EXPENSES. A director serves without compensation but is entitled to reimbursement for actual expenses incurred in performing activities related to district business, including education, travel, and seminars.

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. 8842.101. GROUNDWATER CONSERVATION DISTRICT POWERS AND DUTIES. The district has the rights, powers, privileges, functions, and duties provided by the general law of this state, including Chapter 36, Water Code, applicable to groundwater conservation districts 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. 8842.102. AUTHORITY OF DISTRICT TO CONTRACT WITH GOVERNMENTAL BODIES. (a) The district may contract with Kerr County or a river authority whose boundaries are coextensive with

the district's boundaries for services available from the county or river authority that directly relate to the district's activities. Any party to a contract under this subsection may petition the Texas Commission on Environmental Quality to resolve any dispute arising out of the contract.

(b) The district may contract with a state agency or another governmental body to carry out any function of the district.

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

Sec. 8842.103. GRANTING OF GROUNDWATER RIGHTS PROHIBITED. The district may not sell, donate, lease, or otherwise grant rights in or to groundwater located in the district.

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