

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE H. DISTRICTS GOVERNING GROUNDWATER
CHAPTER 8846. KINNEY COUNTY GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8846.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Commissioners court" means the Kinney County Commissioners Court.
- (3) "Director" means a board member.
- (4) "District" means the Kinney County Groundwater Conservation District.

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

Sec. 8846.002. NATURE OF DISTRICT. The district is a groundwater conservation district in Kinney 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. 8846.003. 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. 8846.004. DISTRICT TERRITORY. The district's boundaries are coextensive with the boundaries of Kinney County, Texas, 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.

Sec. 8846.005. DISTRICT NAME CHANGE. The board may change the district's name when the district annexes territory.

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

Sec. 8846.006. CONTRACTS FOR ELECTION SERVICES. The district shall contract with the county clerk of Kinney County to conduct the district's elections.

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. 8846.051. COMPOSITION OF BOARD; TERMS. (a) The district is governed by a board of seven directors.

(b) Directors serve staggered four-year terms.

(c) A director may serve consecutive terms.

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

Sec. 8846.052. ELECTION OF DIRECTORS. (a) Directors are elected according to the method provided by this section.

(b) Three at-large directors are 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 the position on the board for which the person is a candidate.

(d) At the first election after the county commissioners precincts are redrawn under Section 18, Article V, Texas Constitution, each director in office on the effective date of the change, or elected to a term of office beginning on or after the effective date of the change, shall serve, unless otherwise removed

as provided by law, in the position to which each was elected for the entire term to which elected, even though the change in boundaries places the director's residence outside the precinct from which the director was elected.

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

Sec. 8846.053. ELECTION DATE. On the first Tuesday after the first Monday in November of each even-numbered year, the appropriate number of directors shall be elected.

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

Sec. 8846.054. ELIGIBILITY. (a) To be eligible to be a candidate for or to serve as a director at large, a person must be a registered voter in the district and:

- (1) for position one, reside in the district;
- (2) for position two, reside in the city of Brackettville; and
- (3) for position three, reside in the Fort Clark Springs Municipal Utility District.

(b) To be eligible to be a candidate for or to serve as a director from a county commissioners precinct, a person must:

- (1) be a registered voter of that precinct; and
- (2) reside in a rural area of that precinct.

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

Sec. 8846.055. BOARD VACANCY. (a) The commissioners court shall appoint a replacement to fill a vacancy in the office of director.

(b) The appointed replacement serves until the next directors' election.

(c) At that election, a person is elected to fill the position. If the position is not scheduled to be filled at the election, the person elected to fill the position serves only for the remainder of the unexpired term.

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

Sec. 8846.056. COMPENSATION; EXPENSES. (a) A director may not receive compensation for performing duties as a director.

(b) A director shall be reimbursed for actual reasonable expenses incurred in performing duties as a director.

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. 8846.101. 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.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8846.151. TAXES. To pay the district's maintenance and operating expenses, each year the district may impose an ad valorem tax at a rate not to exceed 10 cents for each \$100 of assessed valuation if a majority of the voters:

(1) approved the authority to impose the tax at the confirmation election; or

(2) approve that authority at a separate election called for that purpose by the board.

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

Sec. 8846.152. FEES. The district may:

(1) impose a fee on water exported from the district;
and

(2) assess other fees as authorized 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.