

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE H. DISTRICTS GOVERNING GROUNDWATER
CHAPTER 8869. WES-TEX GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8869.001. DEFINITIONS. In this chapter:

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

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.05, eff. April 1, 2015.

Sec. 8869.002. NATURE OF DISTRICT. The district is a groundwater conservation district in Nolan County created under and essential to accomplish the purposes of Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.05, eff. April 1, 2015.

Sec. 8869.003. 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 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.05, eff. April 1, 2015.

Sec. 8869.004. DISTRICT TERRITORY. The district's boundaries are coextensive with the boundaries of Nolan County, unless the district's territory has been modified under:

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

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.05,

eff. April 1, 2015.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8869.051. COMPOSITION OF BOARD. The district is governed by a board of nine directors that consists of one at-large director and two directors from each county commissioners precinct. Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.05, eff. April 1, 2015.

Sec. 8869.052. 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. Two directors are elected from each county commissioners precinct by the voters of that precinct. Of the two directors elected from each precinct, one must reside in an incorporated area and one must reside in an unincorporated area.

(c) A person shall indicate on the application for a place on the ballot:

(1) the precinct that the person seeks to represent and whether that person resides in an incorporated or in an unincorporated area; or

(2) that the person seeks to represent the district at large.

(d) When the boundaries of the county commissioners precincts are redrawn under Section [18](#), Article V, Texas Constitution, a director in office on the effective date of the change, or elected or appointed before the effective date of the change to a term of office beginning on or after the effective date of the change, shall serve the term or the remainder of the term 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 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.05, eff. April 1, 2015.

Sec. 8869.053. TERMS. Directors serve staggered four-year terms with four or five members' terms expiring December 1 of each even-numbered year.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. 1026), Sec. 1.05, eff. April 1, 2015.

Sec. 8869.054. ELECTION DATE. On the uniform election date prescribed by Section 41.001, Election Code, in November of each even-numbered year, the appropriate number of directors shall be elected.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. 1026), Sec. 1.05, eff. April 1, 2015.

Sec. 8869.055. QUALIFICATIONS FOR OFFICE. (a) To be a candidate for or to serve as director at large, a person must reside in and be a registered voter in the district.

(b) To be a candidate for or to serve as director from an incorporated area of a county commissioners precinct, a person must reside in an incorporated area of and be a registered voter of that precinct.

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

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. 1026), Sec. 1.05, eff. April 1, 2015.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8869.101. 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 2013, 83rd Leg., R.S., Ch. 112 (S.B. 1026), Sec. 1.05, eff. April 1, 2015.

Sec. 8869.102. LIMITATIONS ON DISTRICT POWERS. Notwithstanding Section [8869.101](#), the district may not:

- (1) acquire land;
- (2) purchase, sell, transport, or distribute surface water or groundwater;
- (3) issue bonds; or
- (4) exercise eminent domain authority.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.05, eff. April 1, 2015.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8869.151. MAINTENANCE AND OPERATION TAX. To pay the maintenance and operating expenses of the district, the board may impose taxes annually at a rate not to exceed three cents on each \$100 of assessed valuation.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.05, eff. April 1, 2015.