

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE I. WATER CONTROL AND IMPROVEMENT DISTRICTS
CHAPTER 9006. CLEAR CREEK WATERSHED AUTHORITY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9006.001. DEFINITIONS. In this chapter:

(1) "Authority" means the Clear Creek Watershed Authority.

(2) "Board" means the authority's board of directors.
Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.002. NATURE OF AUTHORITY. The Clear Creek Watershed Authority is a conservation and reclamation district created to control, store, preserve, and distribute storm and flood waters along Clear Creek and tributaries in Cooke, Denton, Montague, and Wise Counties, as authorized by Section 59, Article XVI, Texas Constitution.
Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The authority is created to serve a public use and benefit.

(b) All territory and other property included within the boundaries of the authority will benefit from the projects, improvements, works, and measures to be constructed and accomplished by the authority under powers conferred by Section 59, Article XVI, Texas Constitution.
Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.004. AUTHORITY TERRITORY; EXCLUSION. (a) The authority is composed of portions of Cooke, Denton, Montague, and Wise Counties as described by Sections 2 and 2a, Chapter 372, Acts of the 56th Legislature, Regular Session, 1959 (Article 8280-234,

Vernon's Texas Civil Statutes), as that territory may have been modified under:

(1) Subchapter [O](#), Chapter [51](#), Water Code, before September 1, 1995;

(2) Subchapter [J](#), Chapter [49](#), Water Code; or

(3) other law.

(b) An error or discrepancy in the field notes of the authority's boundaries contained in Section 2, Chapter 372, Acts of the 56th Legislature, Regular Session, 1959 (Article 8280-234, Vernon's Texas Civil Statutes), does not affect the validity of the authority or any of its powers.

(c) Territory in the authority that is annexed by a municipality on or after January 1, 2009, remains in the authority. Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.08, eff. April 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 878 (S.B. [2519](#)), Sec. 2, eff. June 19, 2009.

Sec. 9006.005. APPLICABILITY OF OTHER LAW. Except as provided in this chapter, general laws pertaining to water control and improvement districts govern the authority.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.08, eff. April 1, 2007.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 9006.051. COMPOSITION. The board consists of nine directors.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.052. ELIGIBILITY TO SERVE. A director of the authority or any subordinate district must be a landowner within the authority and reside in Cooke, Denton, Montague, or Wise County. A director who fails to meet the requirements of this section shall vacate the director's office.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.08, eff. April 1, 2007.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 9006.101. GENERAL POWERS. To accomplish a purpose for which the authority is created, the authority has the powers conferred by the general laws of this state on water control and improvement districts, including the power to:

(1) construct, acquire, improve, maintain, or repair a dam or other structure; and

(2) acquire land, easements, equipment, or other property needed to use, control, or distribute storm or flood waters that may be impounded, diverted, or controlled by the authority.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.102. LIMIT ON IMPOUNDING WATER. The authority's right to impound water is subject to a prior grant or permit issued by the Texas Commission on Environmental Quality.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.103. RESTRICTION ON EMINENT DOMAIN POWER. The authority may not exercise the power of eminent domain outside authority boundaries.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.104. COST OF RELOCATING OR ALTERING PROPERTY. If the authority in the exercise of the power of eminent domain, the power of relocation, or any other powers granted under this chapter makes necessary relocating, raising, rerouting, changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph property or facility, or pipeline, the authority or the subordinate district is solely

responsible for the expense of that necessary action.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

SUBCHAPTER D. FINANCIAL PROVISIONS

Sec. 9006.201. ISSUANCE OF BONDS. To accomplish an authority purpose and to obtain money necessary to furnish land or easements or permanent improvements on the land or easements, the authority may issue and secure bonds as provided by general law for water control and improvement districts.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.202. PLEDGE OF REVENUE TO PAY BONDS. When the board selects a plan of taxation, the board may pledge authority revenue to pay bonds authorized by voters.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.203. USE OF AD VALOREM TAXATION PLAN. The authority shall use the ad valorem plan of taxation.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.204. PLAN OR METHOD OF TAXATION; HEARING. (a) Except as provided by Subsection (b), after adopting a plan or method of taxation, the authority may call a hearing to consider changing the method of taxation. The authority shall call the hearing in the same manner used for the hearing to adopt the original plan of taxation.

(b) Once bonds are approved by the attorney general or district court, the political subdivision issuing the bonds may not change its plan of taxation.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.205. MAINTENANCE TAX ELECTION PROCEDURES. (a) A maintenance tax election shall be called and notice given in the same manner as provided for a bond election.

(b) This chapter does not prevent the calling of a later maintenance tax election to establish or increase the amount of tax if the board determines that a maintenance tax election is required.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.206. MAINTENANCE TAX RATE. In calling a maintenance tax election, the board must specify the maximum proposed tax rate. To impose a maintenance tax at a rate that exceeds the maximum proposed rate approved by the voters, the board must submit the question of a tax rate increase to the voters.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Sec. 9006.207. AUTHORITY PROPERTY NOT SUBJECT TO TAXATION. Property owned by the authority is exempt from ad valorem taxes imposed by a county, municipality, school district, or other entity.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.08, eff. April 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 878 (S.B. 2519), Sec. 3, eff. June 19, 2009.