

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE I. WATER CONTROL AND IMPROVEMENT DISTRICTS

CHAPTER 9012. CROSBY MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY,
TEXAS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9012.001. DEFINITIONS. In this chapter:

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

(2) "District" means the Crosby Municipal Utility District of Harris County, Texas.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.12, eff. April 1, 2009.

Sec. 9012.002. NATURE OF DISTRICT. The district is:

(1) a conservation and reclamation district under Section 59, Article XVI, Texas Constitution;

(2) a water control and improvement district; and

(3) a municipal corporation.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.12, eff. April 1, 2009.

Sec. 9012.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

(b) All land and other property in the district will benefit from the creation of the district and the improvements the district will purchase, construct, or otherwise acquire.

(c) The creation of the district is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.12, eff. April 1, 2009.

SUBCHAPTER B. DISTRICT TERRITORY AND EXCLUSIONS FROM DISTRICT
TERRITORY

Sec. 9012.051. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 1, Chapter 554, Acts of the 59th Legislature, Regular Session, 1965 (Article 8280-315, Vernon's Texas Civil Statutes), as that territory may have been modified under:

- (1) Subchapter O, Chapter 51, Water Code;
- (2) Subchapter J, Chapter 49, Water Code;
- (3) former Section 5, Chapter 554, Acts of the 59th Legislature, Regular Session, 1965 (Article 8280-315, Vernon's Texas Civil Statutes); or
- (4) other law.

(b) The boundaries and field notes of the district form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect:

- (1) the district's organization, existence, or validity;
- (2) the district's right to issue bonds or to pay the principal of and interest on the bonds;
- (3) the district's right to impose a tax; or
- (4) the legality or operation of the district or its governing body.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.12, eff. April 1, 2009.

Sec. 9012.052. EXCLUDING TERRITORY FROM THE DISTRICT. (a) The board may exclude territory from the district before voting any bonds or taxes in and for the district.

(b) The board shall give notice of its intention to hold a hearing on the question of excluding territory from the district. The notice must:

- (1) specify the date and place of the hearing; and
- (2) describe by metes and bounds the territory proposed to be excluded.

(c) The notice must be published at least once in a newspaper of general circulation in Harris County. The first publication of the notice must be at least 10 days before the date set for the hearing.

(d) The board by order may exclude the territory from the district if at the hearing the board finds that the proposed exclusion of territory is advantageous to the district and to the territory to be excluded. In the order, the board shall also redefine the boundaries of the district to embrace all land not excluded. The territory is no longer a part of the district.

(e) The order authorizing the exclusion must be recorded in the board minutes.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.12, eff. April 1, 2009.

Sec. 9012.053. HEARINGS FOR EXCLUSION OF TERRITORY. (a) The board is not required to call or hold a hearing on the exclusion of land or other property from the district.

(b) This section may not be construed to prevent the board on its own motion from calling and holding an exclusion hearing under general law.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.12, eff. April 1, 2009.

SUBCHAPTER C. BOARD OF DIRECTORS

Sec. 9012.101. COMPOSITION OF BOARD. The board is composed of five directors.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.12, eff. April 1, 2009.

SUBCHAPTER D. POWERS AND DUTIES

Sec. 9012.151. WATER CONTROL AND IMPROVEMENT DISTRICT POWERS. The district has the rights, powers, privileges, and duties provided by general law applicable to a water control and improvement district created under Section [59](#), Article XVI, Texas Constitution, including Chapters [49](#) and [51](#), Water Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.12, eff. April 1, 2009.

Sec. 9012.152. ACQUISITION OF IMPROVEMENTS. The district may make, construct, or otherwise acquire improvements inside or outside the district that are necessary or convenient to carry out a power granted to the district under this chapter or a general law described by Section [9012.151](#).

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.12, eff. April 1, 2009.

Sec. 9012.153. COST OF RELOCATING OR ALTERING PROPERTY. (a) In this section, "sole expense" means the actual cost of relocating, raising, lowering, rerouting, or changing the grade of, or altering the construction of a facility described by Subsection (b) in providing comparable replacement without enhancement of the facility, after deducting from that cost the net salvage value derived from the old facility.

(b) If the district's exercise of the power of eminent domain, the power of relocation, or any other power conferred by this chapter makes necessary the relocation, raising, rerouting, changing the grade, or alteration of the construction of a highway, a railroad, an electric transmission line, or a telephone or telegraph property or facility, or a pipeline, the necessary action shall be accomplished at the sole expense of the district.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.12, eff. April 1, 2009.

Sec. 9012.155. DURATION OF CONTRACT FOR WATER PURCHASE OR SALE. A district contract for the purchase or sale of water may not exceed 40 years.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.12, eff. April 1, 2009.

SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

Sec. 9012.201. TAX METHOD. (a) The district shall use the ad valorem basis or plan of taxation.

(b) The board is not required to hold a hearing on the adoption of a plan of taxation.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.12,
eff. April 1, 2009.