

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE I. WATER CONTROL AND IMPROVEMENT DISTRICTS
CHAPTER 9019. BROOKSHIRE MUNICIPAL WATER DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9019.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "City" means the city of Brookshire, Texas.
- (3) "Director" means a board member.
- (4) "District" means the Brookshire Municipal Water District.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.002. NATURE OF DISTRICT. (a) The district is a conservation and reclamation district.

(b) The creation of the district is 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. 1.06, eff. April 1, 2015.

Sec. 9019.003. DISTRICT TERRITORY. (a) The district consists of the territory included in the incorporated city of Brookshire in Waller County, Texas, on April 1, 1951. The district's territory may have been modified under:

- (1) Chapter 3A, Title 128, Revised Statutes, before August 30, 1971;
- (2) Subchapter [O](#), Chapter [51](#), Water Code;
- (3) Subchapter [J](#), Chapter [49](#), Water Code; or
- (4) other law.

(b) A defect in the definition of the boundaries of the city of Brookshire or in a past proceeding for the annexation or exclusion of territory to or from the city does not affect the validity of the district or any of its powers and duties.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06,

eff. April 1, 2015.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 9019.051. COMPOSITION OF BOARD. The district is governed by a board of five elected directors.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.052. QUALIFICATIONS FOR OFFICE. A director must be:

- (1) at least 18 years of age;
- (2) a resident of the state; and
- (3) the owner of property subject to taxation in the district.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 9019.101. GENERAL POWERS. (a) Except as otherwise provided by this chapter, the district:

(1) has all the powers and duties granted water control and improvement districts by Chapters [49](#) and [51](#), Water Code, and all other laws relating to water control and improvement districts; and

(2) shall be governed by all of the laws described by Subdivision (1) and the powers, functions, duties, privileges, and procedures provided by those laws.

(b) The district may exercise the rights, privileges, and functions provided by this chapter.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.102. POWER TO ACQUIRE PROPERTY AND ASSUME INDEBTEDNESS. (a) The district may purchase or otherwise acquire from the city any property owned by the city, for the production,

distribution, and sale of water and everything appurtenant thereto on terms agreed to by the governing bodies of the city and the district.

(b) The district may assume all outstanding bonds, warrants, and other forms of indebtedness of the city issued for waterworks purposes, including indebtedness payable from:

- (1) the revenue of the city's waterworks system; or
- (2) ad valorem taxes.

(c) The assumption of indebtedness described by Subsection (b) must first be approved at an election held in the district in the manner provided by this chapter for bond elections.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.103. POWERS RELATING TO WATERWORKS OR SANITARY SEWER SYSTEM. The district may:

- (1) purchase, construct, or otherwise acquire a waterworks or sanitary sewer system;
- (2) own and operate a system described by Subdivision (1); and
- (3) construct an addition, extension, or improvement to a system described by Subdivision (1).

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.104. POWERS RELATING TO FIRE DEPARTMENT. The district may:

- (1) purchase or otherwise acquire, maintain, and operate a firefighting facility and equipment to protect property belonging to the district and other property in the district;
- (2) maintain and operate a fire department;
- (3) employ a fire marshal; and
- (4) pay a reward for information leading to the arrest and conviction of a person on a charge of arson in connection with the burning or attempted burning of property in the district.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.105. PROJECT APPROVAL. The board is not required to secure the approval of the Texas Commission on Environmental Quality for any district project.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 9019.151. TAX METHOD. The district shall use the ad valorem plan of taxation.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

SUBCHAPTER E. BONDS

Sec. 9019.201. AUTHORITY TO ISSUE BONDS. To carry out a power the district is authorized to perform, the district may issue bonds payable from and secured by:

- (1) ad valorem taxes;
- (2) all or part of the net revenue of the income-producing properties of the district, as specified by the board, after deducting reasonable expenses for maintenance, operation, and administration; or
- (3) ad valorem taxes and the net revenue described by Subdivision (2).

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.202. BOND ELECTION REQUIRED. The district may issue bonds only if the bonds are authorized by a majority of the district voters voting at an election called by the board.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.203. NOTICE OF BOND ELECTION. (a) Except as otherwise provided by this section, notice of a bond election must

be given in the manner required of bond elections in water control and improvement districts.

(b) The notice must be published once a week for two consecutive weeks in a newspaper of general circulation in the district. Publication of the first notice must be at least 14 days before the date of the election.

(c) The notice is not required to state any summary of engineers or other estimates of cost.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.204. REFUNDING BONDS. (a) The district may issue refunding bonds to refund:

(1) outstanding bonds issued by the district and interest on those bonds; or

(2) outstanding bonds of the city assumed by the district.

(b) Refunding bonds may:

(1) be issued to refund more than one series of outstanding district bonds, including bonds assumed by the district;

(2) combine the pledges of net revenue, taxes, or both, that secure the outstanding bonds for the security of the refunding bonds; and

(3) be secured by a pledge of other or additional revenue.

(c) Refunding bonds may be combined and issued jointly with new money bonds to be issued and sold to carry out a power for which the district may issue bonds.

(d) The comptroller shall register the refunding bonds on the surrender and cancellation of the bonds to be refunded.

(e) Instead of issuing bonds to be registered on the surrender and cancellation of the bonds to be refunded, the district, in the resolution authorizing the issuance of the refunding bonds, may provide for the sale of the refunding bonds and the deposit of the proceeds in a bank at which the bonds to be refunded are payable. In that case, the refunding bonds may be

issued in an amount sufficient to pay the interest on the bonds to be refunded to their option date or maturity date, and the comptroller shall register the refunding bonds without the surrender and cancellation of the bonds to be refunded.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.205. REFUNDING BOND ELECTION. (a) Except as otherwise provided by this section, refunding bonds may be issued without an election.

(b) The district may not issue refunding bonds to refund outstanding bonds of the city unless the district's assumption of those bonds is first authorized at an election in the district held in the manner provided by this chapter for bond elections.

(c) Refunding bonds payable wholly or partly from ad valorem taxes may not be issued to refund revenue bonds issued by the district or revenue bonds of the city assumed by the district unless the refunding bonds are authorized at an election held in the manner provided by this chapter for bond elections.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9019.206. BOND APPROVAL. The board is not required to secure the approval of the Texas Commission on Environmental Quality for district bonds.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.