

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE I. WATER CONTROL AND IMPROVEMENT DISTRICTS

CHAPTER 9044. HIDALGO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT

NO. 19

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9044.001. DEFINITION. In this chapter, "district" means the Hidalgo County Water Control and Improvement District No. 19.

Added by Acts 2013, 83rd Leg., R.S., Ch. 284 (H.B. 995), Sec. 1, eff. June 14, 2013.

Sec. 9044.002. NATURE AND PURPOSES OF DISTRICT. (a) The district is a water control and improvement district created under Section 59, Article XVI, Texas Constitution.

(b) The district is created to accomplish the purposes of:

(1) a water control and improvement district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Added by Acts 2013, 83rd Leg., R.S., Ch. 284 (H.B. 995), Sec. 1, eff. June 14, 2013.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 9044.051. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Added by Acts 2013, 83rd Leg., R.S., Ch. 284 (H.B. 995), Sec. 1, eff. June 14, 2013.

Sec. 9044.052. WATER CONTROL AND IMPROVEMENT DISTRICT

POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 51, Water Code, applicable to water control and improvement districts created under Section 59, Article XVI, Texas Constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 284 (H.B. 995), Sec. 1, eff. June 14, 2013.

Sec. 9044.053. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Added by Acts 2013, 83rd Leg., R.S., Ch. 284 (H.B. 995), Sec. 1, eff. June 14, 2013.

Sec. 9044.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Added by Acts 2013, 83rd Leg., R.S., Ch. 284 (H.B. 995), Sec. 1, eff. June 14, 2013.

Sec. 9044.055. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

- (1) has no outstanding bonded debt; and
- (2) is not imposing ad valorem taxes.

(b) This chapter applies to any new district created by the

division of the district, and a new district has all the powers and duties of the district.

(c) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the district as of the effective date of the Act enacting this chapter.

(d) The district's board of directors, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(e) An order dividing the district must:

- (1) name each new district;
- (2) include the metes and bounds description of the territory of each new district;
- (3) appoint temporary directors serving staggered four-year terms for each new district; and
- (4) provide for the division of assets and liabilities between or among the new districts.

(f) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(g) A new district created by the division of the district is not required to hold a confirmation election.

(h) The consent of a municipality or county is not required for the creation of any new district under this section if the new district's creation complies with Subsection (c).

(i) A new district created by the division of the district must hold an election to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes.

Added by Acts 2013, 83rd Leg., R.S., Ch. 284 (H.B. [995](#)), Sec. 1, eff. June 14, 2013.

SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

Sec. 9044.101. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for a road project authorized by Section [9044.053](#).

(b) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

(c) At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the district. Added by Acts 2013, 83rd Leg., R.S., Ch. 284 (H.B. [995](#)), Sec. 1, eff. June 14, 2013.

Sec. 9044.102. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding.

Added by Acts 2013, 83rd Leg., R.S., Ch. 284 (H.B. [995](#)), Sec. 1, eff. June 14, 2013.