

SPECIAL DISTRICT LOCAL LAWS CODE  
TITLE 6. WATER AND WASTEWATER  
SUBTITLE K. SEAWALL COMMISSIONS  
CHAPTER 9501. SEAWALL COMMISSION IN MATAGORDA COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9501.001. DEFINITIONS. In this chapter:

(1) "Commission" means a seawall commission established under Section [9501.002](#).

(2) "Commissioners court" means the Commissioners Court of Matagorda County.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.002. AUTHORITY TO ESTABLISH COMMISSION. (a) The commissioners court and the governing body of a municipality in Matagorda County by resolution may establish a seawall commission to perform the functions described by Section [571.002](#), Local Government Code.

(b) A resolution authorized by Subsection (a) must specify the date on which the commission is established.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. [2278](#)), Sec. 3.77(24), eff. April 1, 2009.

Sec. 9501.003. JURISDICTION. (a) Except as provided by Subsection (b), the commission has jurisdiction only in county commissioners precinct number three in Matagorda County, as that precinct existed on December 31, 1959.

(b) The commission does not have jurisdiction in the municipality of Bay City.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.004. LAWSUITS. The commission may sue and be sued in a court in this state.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

## SUBCHAPTER B. COMMISSION

Sec. 9501.051. COMMISSION; TERMS. The commission is composed of three members appointed for staggered terms of six years, with one member's term expiring every two years.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.052. APPOINTMENT OF MEMBERS; VACANCY. (a) The members of the commission shall be appointed as follows:

(1) one member by the commissioners court;

(2) one member by the governing body of the municipality; and

(3) one member by the commissioners court and the governing body of the municipality, acting jointly.

(b) On expiration of a member's term of office, the office shall be filled by the authority that originally appointed the member.

(c) If a vacancy occurs during the term, it shall be filled for the remainder of the term by the original appointing authority.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.053. ELIGIBILITY FOR APPOINTMENT. To be eligible for appointment as a member of the commission, a person must own real property in and be a qualified voter of the area in which the commission has jurisdiction.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.054. OATH. (a) Before assuming the duties of office, each member must:

(1) take the constitutional oath of office and swear in writing before the county judge that the member will faithfully and impartially discharge the duties of the office; and

(2) on the request of the commissioners court or the governing body of the municipality, give an account of the member's activities.

(b) The clerk of the county court shall file and maintain

the oath of office as part of the records of the commission.  
Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.055. BOND. Each member of the commission shall execute a bond in the amount of \$1,000 that is:

(1) payable to the county judge for the benefit of the commission; and

(2) conditioned on the faithful performance of the member's official duties.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.056. PRESIDING OFFICER. (a) The members of the commission shall annually elect one member as presiding officer.

(b) The presiding officer shall:

(1) preside over commission meetings; and

(2) sign each contract, warrant, or other instrument made or issued by the commission.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.057. COMPENSATION; CERTIFIED REPORT. (a) The commissioners court and the governing body of the municipality by order or resolution shall set the compensation of members of the commission. The amount of compensation for each member may not exceed \$150 for each day that the member attends an official meeting of the commission. The total amount of compensation for each member each month may not exceed \$600.

(b) Each member shall submit to the county auditor for each pay period a certified report that describes in detail each time the member attended an official meeting of the commission. The report must be submitted on a date prescribed by the commissioners court and the governing body of the municipality.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 1027 (S.B. [322](#)), Sec. 1, eff. September 1, 2023.

Sec. 9501.058. REMOVAL FROM OFFICE. The commissioners

court and the governing body of the municipality, by a majority vote in a joint session, may remove a member of the commission from office only for malfeasance.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.059. TREASURER. The county treasurer of Matagorda County shall serve as treasurer of the commission.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.060. AUDITOR. The county auditor for Matagorda County is the auditor for the commission.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.061. EMPLOYMENT OF ATTORNEY. The commission may employ an attorney for legal services required by the commission.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 9501.101. COMMISSION POWERS. The commission may exercise the authority granted to a county or municipality under Section [571.002](#), [571.003](#), [571.004](#), or [571.005](#) or Section [571.011](#)(a) or (b), Local Government Code.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. [2278](#)), Sec. 3.77(25), eff. April 1, 2009.

Sec. 9501.1015. RECREATIONAL FACILITIES. The commission may establish, construct, and maintain recreational facilities for public use adjacent to the seawall in Matagorda County.

Added by Acts 2011, 82nd Leg., R.S., Ch. 629 (S.B. [801](#)), Sec. 1, eff. June 17, 2011.

Sec. 9501.102. AUTHORITY TO CONTRACT. The commission may enter into a contract relating to the performance of any function described by Section [571.002](#), Local Government Code.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.77(26), eff. April 1, 2009.

Sec. 9501.103. PURCHASING AND CONTRACTING. The commission, in the performance of functions under this chapter, has the same powers granted to a county under Subchapter C, Chapter 262, and Chapter 271, Local Government Code, and is subject to the same requirements imposed on a county under those provisions.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.104. ANNUAL REPORT REQUIRED. The commission shall annually submit a report to the commissioners court and the governing body of the municipality. The report must:

(1) describe the commission's financial condition and operations during the preceding year;

(2) propose a budget for the following year; and

(3) describe generally the work proposed for the following year.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.105. CONDEMNATION PROCEEDINGS. (a) A condemnation proceeding brought by the commission must be brought in the name of the commission and under the direction of the commission.

(b) An appeal from a finding and assessment of damages as provided by Chapter 21, Property Code, does not suspend work of the commission.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

#### SUBCHAPTER D. FINANCIAL PROVISIONS

Sec. 9501.151. AD VALOREM TAX. (a) The commission may impose an ad valorem tax on real property within the commission's jurisdiction.

(b) The commission shall determine the tax rate, which may

not exceed 10 cents for each \$100 valuation of property.

(c) Revenue from the tax may be used only to pay for functions of the commission.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.152. ASSESSMENT AND COLLECTION OF TAXES. The county tax assessor and collector shall assess and collect taxes imposed by the commission in the manner provided by law for the assessment and collection of county taxes.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 9501.153. DISBURSEMENT OF FUNDS. The commission may disburse funds set aside by the commissioners court and the governing body of the municipality for the performance of the commission's functions.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.