

By: Guillen

H.B. No. 5320

A BILL TO BE ENTITLED

AN ACT

relating to the combination of the Starr County Drainage and Groundwater conservation districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading of Section 6606, Special District Local Laws Code, is amended to read as follows:

STARR COUNTY DRAINAGE AND GROUNDWATER CONSERVATION DISTRICT.

SECTION 2. Section 6606, Special District Local Laws Code, is amended to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6606.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a member of the board.

(3) "District" means the Starr County Drainage and Groundwater Conservation District.

Sec. 6606.002. NATURE OF DISTRICT. The district is a drainage district created in Starr County under Section 59, Article XVI, Texas Constitution, subject to approval at a confirmation election under Section 6606.102.

Sec. 6606.003. FINDINGS OF BENEFIT AND PURPOSE. (a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the works and projects that are to be accomplished by the district under powers conferred by Section 59, Article XVI,

1 Texas Constitution.

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

4 Sec. 6606.004. DISTRICT TERRITORY. The district territory
5 is coextensive with the boundaries of Starr County, Texas.

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 6606.051. DIRECTORS. (a) The district is governed by
8 a board of five directors ~~consisting of~~ who shall be appointed by
9 the Commissioners Court of Starr County of whom:

10 (1) one must represent municipal interests in the
11 county;

12 (2) one must be a bona fide agricultural producer who
13 derives a substantial portion of the producer's income from
14 agriculture in the county;

15 (3) one must be an employee of a rural water supply
16 entity in the county;

17 (4) one must represent active industrial interests in
18 the county; and

19 (5) one must represent Starr County at-large.

20 ~~(b) Service on the board is an additional duty of office for~~
21 ~~a member of the Commissioners Court of Starr County.~~

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 6606.101. GENERAL POWERS AND DUTIES. (a) The district
24 has all rights, powers, privileges, functions, and duties provided
25 by the general law of this state applicable to a drainage district
26 created under Section 59, Article XVI, Texas Constitution,
27 including Chapters 36, 49, and 56, Water Code.

1 (b) The district shall assess ad valorem taxes pursuant to
2 Chapter 49, Water Code.

3 Sec. 6606.102. CONFIRMATION ELECTION. (a) The board shall
4 hold an election to confirm the creation of the district.

5 (b) Section 41.001(a), Election Code, does not apply to a
6 confirmation election under this section.

7 (c) Except as provided by this section, the confirmation
8 election must be conducted as provided by Sections 49.102(a)-(f),
9 Water Code, and the Election Code.

10 (d) The district is not required to elect directors at the
11 confirmation election.

12 Sec. 6606.103. UTILITY PROPERTY EXEMPTION FROM IMPACT FEES,
13 STANDBY FEES, AND ASSESSMENTS. The district may not impose an
14 impact fee, standby fee, or assessment on the property, including
15 the equipment, rights-of-way, easements, facilities, or
16 improvements, of:

17 (1) an electric utility or a power generation company
18 as defined by Section 31.002, Utilities Code;

19 (2) a gas utility as defined by Section 101.003 or
20 121.001, Utilities Code;

21 (3) a telecommunications provider as defined by
22 Section 51.002, Utilities Code; or

23 (4) a person who provides to the public cable
24 television or advanced telecommunications services.

25 Sec. 6606.104 POWER TO CONTRACT WITH MUNICIPALITIES.

26 (a) The district may enter into a contract with a
27 municipality to assume the functions of the municipality's

1 municipally owned utility. A contract under this section may
2 include provisions for the district's:

3 (1) assumption of the debts, liabilities, and
4 obligations of the municipally owned utility;

5 (2) ownership or use of the assets and facilities of
6 the municipally owned utility; and

7 (3) performance of the functions and services
8 previously provided by the municipally owned utility.

9 Sec. 6606.105. RELATION TO OTHER WATER-RELATED ENTITIES.

10 (a) To the extent that a rule of the district conflicts with a rule
11 of the regional water authority, the rule of the authority
12 controls.

13 (b) To the extent that a rule of the district conflicts with
14 an action of a municipally owned utility or water supply or sewer
15 service corporation whose certificated area is located wholly or
16 partly in the district's territory, the action of the utility or
17 corporation controls.

18 (c) Notwithstanding Subsections (a) and (b), to the extent
19 that a rule of the district concerning groundwater conflicts with a
20 rule of the regional water authority or with an action of a
21 municipally owned utility or water supply or sewer service
22 corporation whose certificated area is located wholly or partly in
23 the district's territory, the rule of the district controls.

24 SECTION 2. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2025.