

CHAPTER 333

S.B. No. 1453

AN ACT

relating to the annexation of land to the Edwards Underground Water District.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 1, Chapter 99, Acts of the 56th Legislature, Regular Session, 1959 (Article 8280-219, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. **CREATION, PURPOSE AND AREA OF DISTRICT.** (a) There is hereby created within the State of Texas a conservation and reclamation district to be known as the "Edwards Underground Water District" hereinafter called the "District," for the

purpose of conserving, protecting and recharging the underground water-bearing formations within the District, and for the prevention of waste and pollution of such underground water, particularly the waters in the formations known as the Edwards Limestone and Associated Formations in the Counties of Bexar, Comal, Hays, Medina and Uvalde in the State of Texas.

(b) The District shall consist of:

(1) [(a)] all of the area of Bexar County, except that portion of said County included in Subdivisions Nos. 1 and 2 of the Underground Water Reservoir in the Carrizo-Wilcox sands as defined by order of the Board of Water Engineers dated August 21, 1957;

(2) [(b)] all of the area of Comal County, except that portion of said County lying North of the North line through said County of Subdivision No. 1 of the Underground Water Reservoir in the Edwards Limestone, Balcones escarpment area, as defined by the order of the Board of Water Engineers dated January 10, 1957;

(3) [(c)] all of the area in Hays County included in the area designated as Subdivision No. 1 of the Underground Water Reservoir in the Edwards Limestone, Balcones escarpment area, as defined by order of the Board of Water Engineers dated January 10, 1957, and in addition thereto all of the area of said County within the corporate limits of the City of San Marcos on April 28, 1959;

(4) all of the territory of Hays County contained within the following described area:

Beginning on the most southern point of Hays County at the intersection of Hays, Comal and Guadalupe Counties; then continuing in a northeasterly direction along the Hays-Guadalupe county line to its intersection with the Hays-Caldwell county line; then continuing along the Hays-Caldwell county line to an intersection with Farm-to-Market Road 150; then continuing in a northwesterly direction along Farm-to-Market Road 150 to the intersection with the existing southern boundary of the Edwards Underground Water District in Hays County; then continuing in a southwesterly direction along the existing southern boundary of the Edwards Underground Water District in Hays County to the intersection with the Hays-Comal county line; then continuing in a southerly direction along the Hays-Comal county line to the point of beginning;

(5) [(d)] all of the area of Medina County, except the area of said County lying North of the North line through said County of Subdivision No. 1 of the Underground Water Reservoir in the Edwards Limestone, Balcones escarpment area, as defined in the order of the Board of Water Engineers dated January 10, 1957, and also excluding the area in said County included within Subdivisions Nos. 1 and 2 of the Underground Water Reservoir in the Carrizo-Wilcox sands, as defined by the order of the Board of Water Engineers dated August 21, 1957; and

(6) [(e)] all of the area of Uvalde County.

SECTION 2. (a) The legislature finds that the boundaries of the added land and the boundaries of the Edwards Underground Water District as described by Subdivision (4), Subsection (b), Section 1, Chapter 99, Acts of the 56th Legislature, Regular Session, 1959, as added by this Act form a closure and if any mistake is made in copying the description of the territory in the legislative process or is otherwise made in the description, the mistake does not affect the existence or validity of the addition of the territory and does not affect the validity of the original proceedings providing for the creation and organization of the district, the confirmation of the establishment of the district and the election of its initial directors, the existence or validity of the district as redefined, or any of the powers granted to the district by law, including the district's right to issue bonds or refunding bonds, to pay the principal of and interest on the bonds, or to levy and collect taxes or the legality or operation of the district or its governing body.

(b) The legislature finds that the annexation of territory is advantageous to the district and is feasible and practicable, and all of the other land included within the area and boundaries of the district will be benefitted by the works and projects that are to be accomplished by the district pursuant to the powers conferred by Article XVI, Section 59,

of the Texas Constitution, and that the district was created to serve a public use and benefit.

SECTION 3. (a) Not later than the 90th day after the effective date of this Act, the board of directors of the Edwards Underground Water District shall call and order a separate election on the annexation of the territory described by Subdivision (4), Subsection (b), Section 1, Chapter 99, Acts of the 56th Legislature, Regular Session, 1959, as added by this Act, to the district. The election shall be held in the territory proposed to be added to the district. The election must be held not later than the 90th day after the date of the order of the board of directors calling the election. The ballot for the election shall be printed to provide for voting for or against the proposition: "Annexation of the territory to the Edwards Underground Water District, assumption of the territory's pro rata share of the district's obligations, and the levy of a property tax in the territory."

(b) If a majority of the voters voting at the election held under Subsection (a) of this section votes in favor of the proposition, the board shall declare the territory added to the district, and the territory shall assume its pro rata share of all bonds, taxes, or other indebtedness on the January 1 following the election and the district shall levy taxes on the property added to the district at the same rate levied on the other property of the district.

(c) If a majority of the voters voting at the election votes against the proposition, the board of directors shall declare that the territory is not added to the district.

(d) Except as provided by this section, an election called and held under this section shall be called and held as provided by the Election Code, but Subsection (a) of Section 41.001 does not apply to an election called and held under Subsection (a) of this section.

SECTION 4. (a) Except as provided by this section, this Act takes effect September 1, 1987.

(b) Section 1 of this Act takes effect on the date that annexation of the territory described by Subdivision (4), Subsection (b), Section 1, Chapter 99, Acts of the 56th Legislature, Regular Session, 1959, as added by this Act, is approved by voters of that territory in accordance with Section 3 of this Act. If the voters vote against adding the territory to the district, Section 1 has no effect.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on May 25, 1987, by the following vote: Yeas 30, Nays 0. Passed the House on May 29, 1987, by the following vote: Yeas 147, Nays 0, one present not voting.

Approved June 11, 1987.

Effective Sept. 1, 1987, except as provided by § 4(b).