

PRELIMINARY DRAFT

TEXAS LEGISLATIVE COUNCIL  
Special District Local  
Laws Code  
Chapter 8021  
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CHAPTER 8021. LAKEWAY MUNICIPAL UTILITY DISTRICT

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CHAPTER 8021. LAKEWAY MUNICIPAL UTILITY DISTRICT

Revised Law

8  
9 Sec. 8021.0001. DEFINITIONS. In this chapter:

10 (1) "Board" means the board of directors of the  
11 district.

12 (2) "District" means the Lakeway Municipal Utility  
13 District, Travis County. (Acts 75th Leg., R.S., Ch. 1272, Sec. 1.)

Source Law

14  
15 Sec. 1. In this Act:

16 (1) "District" means Lakeway Municipal  
17 Utility District, Travis County, Texas, created by  
18 order of the Texas Water Rights Commission on February  
19 17, 1972.

20 (2) "Board" means the board of directors  
21 of the district.

Revisor's Note

22  
23 Section 1, Chapter 1272, Acts of the 75th  
24 Legislature, Regular Session, 1997, provides that the  
25 district was "created by order of the Texas Water  
26 Rights Commission on February 17, 1972." The revised  
27 law omits the quoted language as unnecessary to  
28 accurately name the district.

1 Revised Law

2 Sec. 8021.0002. EXCLUSION OF LAND. (a) The board may, at  
3 its discretion, call a hearing to consider excluding land from the  
4 district or determine not to call a hearing to exclude land from the  
5 district.

6 (b) If the board holds a hearing under Subsection (a), the  
7 board may by order exclude land from the district on any of the  
8 grounds for exclusion provided by Section 49.306, Water Code,  
9 provided that:

10 (1) the board receives a petition, signed by the  
11 owners of the land to be excluded and consented to by all  
12 lienholders, requesting exclusion of the land as described by metes  
13 and bounds; and

14 (2) the owners of the land pay to the district a  
15 payment and any other fees or costs required by the district. (Acts  
16 75th Leg., R.S., Ch. 1272, Sec. 2.)

17 Source Law

18 Sec. 2. The board in its sole discretion may  
19 call a hearing to consider excluding land from the  
20 district, or the board may determine not to call a  
21 hearing to exclude land from the district. If the  
22 board holds a hearing, the board may by order exclude  
23 from the district land within the district boundaries  
24 on any of the grounds for exclusion included in Section  
25 49.306, Water Code, if:

26 (1) the board receives a petition, signed  
27 by the owners of the land to be excluded and consented  
28 to by all persons holding liens on the land, requesting  
29 exclusion of the land as described by metes and bounds;  
30 and

31 (2) the owners of the land pay to the  
32 district a payment and any other fees or costs required  
33 by the district.

34 Revisor's Note

35 Section 2, Chapter 1272, Acts of the 75th  
36 Legislature, Regular Session, 1997, refers to the  
37 board calling a hearing to consider excluding land  
38 from the district "in its sole discretion." The  
39 revised law omits "sole" because, in context, "sole"  
40 is included within the meaning of "at its discretion."

1 Revised Law

2 Sec. 8021.0003. NOTICE OF HEARING. (a) Except as provided  
3 by Section 8021.0004, in addition to the notice required by Section  
4 49.304, Water Code, the district shall, not later than the 30th day  
5 before the date of the exclusion hearing under Section  
6 8021.0002(a):

7 (1) publish notice of the exclusion hearing in a  
8 nationally recognized financial journal; and

9 (2) mail notice of the exclusion hearing by certified  
10 mail to the paying agent or registrar of the district's outstanding  
11 bonds.

12 (b) The notice required by Subsection (a) must advise any  
13 district bondholder, taxpayer, or other interested party that the  
14 person may appear at the exclusion hearing in support of or in  
15 opposition to the petition for exclusion. (Acts 75th Leg., R.S.,  
16 Ch. 1272, Sec. 3; New.)

17 Source Law

18 Sec. 3. In addition to the notice required by  
19 Section 49.304, Water Code, the district shall publish  
20 notice of the exclusion hearing in a nationally  
21 recognized financial journal and shall mail notice by  
22 certified mail to the paying agent or registrar of the  
23 district's outstanding bonds. The notice shall be  
24 published and mailed not later than the 30th day before  
25 the hearing date, advising any district bondholder,  
26 taxpayer, or other interested party that the person  
27 may appear at the exclusion hearing in support of or in  
28 opposition to the petition for exclusion.

29 Revisor's Note

30 Section 3, Chapter 1272, Acts of the 75th  
31 Legislature, Regular Session, 1997, establishes  
32 notice requirements for exclusion hearings. Section 4  
33 of Chapter 1272, revised as Section 8021.0004,  
34 provides an exception to those notice requirements.  
35 For the reader's convenience, the revised law adds a  
36 reference to the exception.

37 Revised Law

38 Sec. 8021.0004. EXCLUSION WITH BOND REFUNDING. (a) Land  
39 may be excluded as authorized by this chapter in conjunction with a

1 refunding of the district's outstanding bonds.

2 (b) If land is excluded in the manner provided by Subsection  
3 (a), the only notice required is the notice specified by Section  
4 49.304, Water Code. (Acts 75th Leg., R.S., Ch. 1272, Sec. 4.)

5 Source Law

6 Sec. 4. The exclusion authorized by this Act may  
7 be done contemporaneously with a refunding of the  
8 district's outstanding bonds. If the exclusion is done  
9 in that manner, the only notice required is the notice  
10 specified by Section 49.304, Water Code.

11 Revisor's Note

12 Section 4, Chapter 1272, Acts of the 75th  
13 Legislature, Regular Session, 1997, authorizes land to  
14 be excluded "contemporaneously with" a refunding of  
15 the district's outstanding bonds. The revised law  
16 substitutes "in conjunction with" for the quoted  
17 language because, in context, the meaning is the same  
18 and "in conjunction with" is more commonly used.

19 Revised Law

20 Sec. 8021.0005. APPLICABILITY OF CERTAIN OTHER LAW.  
21 Sections 49.307 and 49.308, Water Code, apply to an exclusion of  
22 land carried out under this chapter. (Acts 75th Leg., R.S., Ch.  
23 1272, Sec. 5.)

24 Source Law

25 Sec. 5. Sections 49.307 and 49.308, Water Code,  
26 apply to all exclusions of land under this Act.