



LEAGUE OF WOMEN VOTERS OF TEXAS

Municipal Utility District Elections

What is a municipal utility district (MUD)? A municipal utility district (MUD) is a political subdivision of the State of Texas authorized by the Texas Commission of Environmental Quality (TCEQ) to provide water, sewage, drainage and other services such as conservation, irrigation, electrical generation, firefighting, solid waste collection and disposal, and recreational activities (such as parks, swimming pools, and sports courts). Frequently, the MUD contracts with other individuals and organizations to provide services, such as an operator, a tax assessor/collector, attorneys, bookkeepers, outside auditors.

How is the MUD governed? The publically elected board of directors manages and controls all of the affairs of the MUD. The Board establishes policies in the interest of its residents and utility customers. A MUD may adopt and enforce all necessary charges, fees and taxes in order to provide district facilities and service. The TCEQ provides the board assistance in understanding the complex and varied laws and regulations under which a district must operate, but does not control a district's daily operations. A MUD board is subject to the Open Meetings Act and meetings are open to the public.

What are the qualifications for MUD board members? A director must be at least 18 years old, reside within the State of Texas and either (a) own land subject to taxation inside the district's boundaries or (b) be a qualified voter in the district. The term of office is 4 years.

Are board members paid? MUD directors are not paid a salary. However, they may be reimbursed for actual expenses or be paid on a per diem basis. A director may be paid \$150 per day that the director actually spends working as a MUD director for the district which includes meetings. To receive payment, each district director must file a verified statement about the work performed for the district that shows the number of days the director spent in the service of the district and provide a general description of the duties performed for each day. These records may be inspected and copied by the public at the district office under the Open Records Act.

How do candidates apply to run for director of a MUD? An application form may be obtained from the secretary of the MUD board or the Texas Secretary of State website at www.sos.state.tx.us/elections/forms/pol-sub/index.shtml. The completed application must be received by the secretary of the board no later than 5 pm on the 78th day before the election; it may be filed as early as 30 days before the deadline.

When are elections held? Elections are held on one of two Texas Uniform Election Dates for local entities: either the first Saturday in February or the first Saturday in May. All candidates in the MUD election run as independent candidates not affiliated with any political party.

What if the election doesn't seem right? If you suspect that an irregularity occurred in a MUD election, first call the Office of the Texas Secretary of State to discuss what seemed wrong. If your concern appears to be legitimate, you must file to contest the election with the local district court within 30 days after the election.

For more information:

Texas Water Districts: A General Guide (Publ. No. GI-043), by Texas Commission on Environmental Quality, 2004, Austin: TX. Available at www.tceq.texas.gov/publications/gi/gi-043.html

Candidacy Filing: Local Political Subdivisions, by Texas Secretary of State, 2015, Austin: TX. Available at www.sos.state.tx.us/elections/laws/candidacy.shtml