

By: Bell of Montgomery

H.B. No. 5321

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of the East Montgomery County Improvement
3 District to receive certain tax revenue derived from a hotel and
4 convention center project and to pledge certain tax revenue for the
5 payment of obligations related to the project.

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

7 SECTION 1. Chapter 3846, Special District Local Laws Code,
8 is amended by adding Subchapter K to read as follows:

9 SUBCHAPTER K. HOTEL AND CONVENTION CENTER PROJECTS

10 Sec. 3846.501. DEFINITION. In this subchapter, "qualified
11 project" has the meaning assigned by Section 351.151, Tax Code.

12 Sec. 3846.502. HOTEL AND CONVENTION CENTER PROJECTS. (a)
13 The board by order may authorize proceeds from the hotel occupancy
14 tax imposed under Subchapter J of this chapter to be used for a
15 qualified project under Subchapter C, Chapter 351, Tax Code. The
16 use authorized by this subsection is in addition to any other use
17 authorized by law.

18 (b) If the board adopts an order described by Subsection
19 (a):

20 (1) a reference in Subchapter C, Chapter 351, Tax
21 Code, to a municipality is a reference to the district; and

22 (2) the district is considered to be a municipality
23 for purposes of Subchapter C, Chapter 351, Tax Code, with the same
24 rights, privileges, and responsibilities as a municipality under

1 that subchapter, including the ability to pledge or commit revenue
2 under Section 351.155, Tax Code, for bonds or other obligations
3 issued for a qualified project or contractual obligations for a
4 qualified project and to receive certain tax revenue under Section
5 351.156, Tax Code.

6 (c) In the event of a conflict between this section and
7 another provision of this chapter, this section controls.

8 SECTION 2. (a) The legal notice of the intention to
9 introduce this Act, setting forth the general substance of this
10 Act, has been published as provided by law, and the notice and a
11 copy of this Act have been furnished to all persons, agencies,
12 officials, or entities to which they are required to be furnished
13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
14 Government Code.

15 (b) The governor, one of the required recipients, has
16 submitted the notice and Act to the Texas Commission on
17 Environmental Quality.

18 (c) The Texas Commission on Environmental Quality has filed
19 its recommendations relating to this Act with the governor,
20 lieutenant governor, and speaker of the house of representatives
21 within the required time.

22 (d) All requirements of the constitution and laws of this
23 state and the rules and procedures of the legislature with respect
24 to the notice, introduction, and passage of this Act have been
25 fulfilled and accomplished.

26 SECTION 3. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2023.