

By: Schwertner

S.B. No. 2351

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of certain municipalities to use certain
3 tax revenue for hotel and convention center projects and other
4 qualified projects.

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

6 SECTION 1. Section 351.152, Tax Code, is amended to read as
7 follows:

8 Sec. 351.152. APPLICABILITY. This subchapter applies only
9 to:

10 (1) a municipality described by Section
11 351.001(7)(B);

12 (2) a municipality described by Section
13 351.001(7)(D);

14 (3) a municipality described by Section
15 351.001(7)(E);

16 (4) a municipality described by Section
17 351.102(e)(3);

18 (5) a municipality that contains more than 75 percent
19 of the population of a county with a population of 1.5 million or
20 more;

21 (6) a municipality with a population of 150,000 or
22 more but less than 200,000 that is partially located in at least one
23 county with a population of 125,000 or more;

24 (7) a municipality with a population of 150,000 or

1 more but less than one million that is located in one county with a
2 population of 2.3 million or more;

3 (8) a municipality with a population of 180,000 or
4 more that:

5 (A) is located in two counties, each with a
6 population of 100,000 or more; and

7 (B) contains an American Quarter Horse Hall of
8 Fame and Museum;

9 (9) a municipality with a population of 96,000 or more
10 that is located in a county that borders Lake Palestine;

11 (10) a municipality with a population of 96,000 or
12 more that is located in a county that contains the headwaters of the
13 San Gabriel River;

14 (11) a municipality with a population of 99,900 or
15 more but less than 111,000 that is located in a county with a
16 population of 135,000 or more;

17 (12) a municipality with a population of 110,000 or
18 more but less than 135,000 at least part of which is located in a
19 county with a population of less than 135,000;

20 (13) a municipality with a population of 9,000 or more
21 but less than 10,000 that is located in two counties, each of which
22 has a population of 662,000 or more and a southern border with a
23 county with a population of 2.3 million or more;

24 (14) a municipality with a population of 200,000 or
25 more but less than 300,000 that contains a component institution of
26 the Texas Tech University System;

27 (15) a municipality with a population of 95,000 or

1 more that:

2 (A) is located in more than one county; and

3 (B) borders Lake Lewisville;

4 (16) a municipality with a population of 45,000 or
5 more that:

6 (A) contains a portion of Cedar Hill State Park;

7 (B) is located in two counties, one of which has a
8 population of two million or more and one of which has a population
9 of 149,000 or more; and

10 (C) has adopted a capital improvement plan for
11 the construction or expansion of a convention center facility;

12 (17) a municipality with a population of less than
13 6,000 that:

14 (A) is almost wholly located in a county with a
15 population of 600,000 or more that is adjacent to a county with a
16 population of two million or more;

17 (B) is partially located in a county with a
18 population of 1.8 million or more that is adjacent to a county with
19 a population of two million or more;

20 (C) has a visitor center and museum located in a
21 19th-century rock building in the municipality's downtown; and

22 (D) has a waterpark open to the public;

23 (18) a municipality with a population of 56,000 or
24 more that:

25 (A) borders Lake Ray Hubbard; and

26 (B) is located in two counties, one of which has a
27 population of less than 80,000;

1 (19) a municipality with a population of 83,000 or
2 more that:

3 (A) borders Clear Lake; and

4 (B) is primarily located in a county with a
5 population of less than 300,000;

6 (20) a municipality with a population of less than
7 2,000 that:

8 (A) is located adjacent to a bay connected to the
9 Gulf of Mexico;

10 (B) is located in a county with a population of
11 290,000 or more that is adjacent to a county with a population of
12 four million or more; and

13 (C) has a boardwalk on the bay;

14 (21) a municipality with a population of 75,000 or
15 more that:

16 (A) is located wholly in one county with a
17 population of 575,000 or more that is adjacent to a county with a
18 population of four million or more; and

19 (B) has adopted a capital improvement plan for
20 the construction or expansion of a convention center facility;

21 (22) a municipality with a population of less than
22 75,000 that is located in three counties, at least one of which has
23 a population of four million or more;

24 (23) an eligible coastal municipality with a
25 population of 3,000 or more but less than 5,000;

26 (24) a municipality with a population of 90,000 or
27 more but less than 150,000 that:

1 (A) is located in three counties; and

2 (B) contains a branch campus of a component
3 institution of the University of Houston System;

4 (25) a municipality that is:

5 (A) primarily located in a county with a
6 population of four million or more; and

7 (B) connected by a bridge to a municipality
8 described by Subdivision (20);

9 (26) a municipality with a population of 20,000 or
10 more but less than 25,000 that:

11 (A) contains a portion of Mustang Bayou; and

12 (B) is wholly located in a county with a
13 population of less than 500,000;

14 (27) a municipality with a population of 70,000 or
15 more but less than 90,000 that is located in two counties, one of
16 which has a population of four million or more and the other of
17 which has a population of less than 50,000;

18 (28) a municipality with a population of 10,000 or
19 more that:

20 (A) is wholly located in a county with a
21 population of four million or more; and

22 (B) has a city hall located less than three miles
23 from a space center operated by an agency of the federal government;

24 (29) a municipality that is the county seat of a
25 county:

26 (A) through which the Pedernales River flows; and

27 (B) in which the birthplace of a president of the

1 United States is located;

2 (30) a municipality that contains a portion of U.S.
3 Highway 79 and State Highway 130;

4 (31) a municipality with a population of 48,000 or
5 more but less than 95,000 that is located in two counties, one of
6 which has a population of 900,000 or more but less than 1.7 million;

7 (32) a municipality with a population of less than
8 25,000 that contains a museum of Western American art;

9 (33) a municipality with a population of 50,000 or
10 more that is the county seat of a county that contains a portion of
11 the Sam Houston National Forest;

12 (34) a municipality with a population of less than
13 25,000 that:

14 (A) contains a cultural heritage museum; and

15 (B) is located in a county that borders the
16 United Mexican States and the Gulf of Mexico;

17 (35) a municipality that is the county seat of a county
18 that:

19 (A) has a population of 115,000 or more;

20 (B) is adjacent to a county with a population of
21 1.8 million or more; and

22 (C) hosts an annual peach festival;

23 (36) a municipality that is the county seat of a county
24 that:

25 (A) has a population of 585,000 or more; and

26 (B) is adjacent to a county with a population of
27 four million or more;

1 (37) a municipality with a population of less than
2 10,000 that:

3 (A) contains a component university of The Texas
4 A&M University System; and

5 (B) is located in a county adjacent to a county
6 that borders Oklahoma;

7 (38) a municipality with a population of less than
8 6,100 that:

9 (A) is located in two counties, each of which has
10 a population of 600,000 or more but less than two million; and

11 (B) hosts an annual Cajun Festival;

12 (39) a municipality with a population of 13,000 or
13 more that:

14 (A) is located on an international border; and

15 (B) is located in a county:

16 (i) with a population of less than 400,000;

17 and

18 (ii) in which at least one World Birding
19 Center site is located;

20 (40) a municipality with a population of 4,000 or more
21 that:

22 (A) is located on an international border; and

23 (B) is located not more than five miles from a
24 state historic site that serves as a visitor center for a state park
25 that contains 300,000 or more acres of land;

26 (41) a municipality with a population of 36,000 or
27 more that is adjacent to at least two municipalities described by

1 Subdivision (15);

2 (42) a municipality with a population of 28,000 or
3 more in which is located a historic railroad depot and heritage
4 center;

5 (43) a municipality located in a county that has a
6 population of not more than 300,000 and in which a component
7 university of the University of Houston System is located;

8 (44) a municipality with a population of less than
9 500,000 that is:

10 (A) located in two counties; and

11 (B) adjacent to a municipality described by
12 Subdivision (31); ~~and~~

13 (45) a municipality that:

14 (A) has a population of more than 67,000; and

15 (B) is located in two counties with 90 percent of
16 the municipality's territory located in a county with a population
17 of at least 580,000, and the remaining territory located in a county
18 with a population of at least four million; and

19 (46) a municipality described by Section 351.101(k).

20 SECTION 2. Section 351.155, Tax Code, is amended by adding
21 Subsection (f) to read as follows:

22 (f) This subsection applies only to a municipality
23 described by Section 351.152(46). A municipality to which this
24 subsection applies may pledge or commit the revenue derived from
25 the tax imposed under this chapter from a qualified hotel and the
26 revenue to which the municipality is entitled under Section 351.156
27 for the payment of bonds or other obligations issued for a

1 convention center facility that, at the time the bonds or other
2 obligations were issued, was not a qualified convention center
3 facility.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2023.