

1-1 By: Eiland (Senate Sponsor - Janek) H.B. No. 1459
1-2 (In the Senate - Received from the House April 28, 2003;
1-3 May 1, 2003, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 21, 2003, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 21, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to hotel taxes in certain coastal municipalities with a
1-9 population of less than 5,000.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 351.1055, Tax Code, is amended to read as
1-12 follows:

1-13 Sec. 351.1055. ALLOCATION OF REVENUE: CERTAIN [~~HOME-RULE~~]
1-14 MUNICIPALITIES. (a) In this section:

1-15 (1) "Clean and maintain" has the meaning assigned by
1-16 Section 61.063, Natural Resources Code.

1-17 (2) "Public beach" has the meaning assigned by Section
1-18 61.001, Natural Resources Code.

1-19 (3) "Beach security" means beach patrol, lifeguard
1-20 services, marine water safety, and park law enforcement.

1-21 (b) Notwithstanding any other provision of this chapter, a
1-22 home-rule municipality that borders on the Gulf of Mexico and has a
1-23 population of more than 250,000 may use all or any portion of the
1-24 revenue derived from the municipal hotel occupancy tax from hotels
1-25 previously subject to a county hotel occupancy tax to clean and
1-26 maintain public beaches in the municipality.

1-27 (c) Notwithstanding any other provision of this chapter, an
1-28 eligible coastal municipality that has a population of less than
1-29 5,000 may use all or any portion of the revenue heretofore or
1-30 hereafter derived from the municipal hotel tax:

1-31 (1) to clean and maintain the beaches in the
1-32 municipality;

1-33 (2) to provide beach security within the municipality;

1-34 (3) for any of the purposes permitted or allowed by
1-35 Section 1504.001, Government Code;

1-36 (4) for any purpose allowed by Section 351.105; or

1-37 (5) to pay the principal of or interest on bonds or
1-38 notes issued for any of these purposes.

1-39 SECTION 2. Section 351.003(c), Tax Code, is amended to read
1-40 as follows:

1-41 (c) The rate in a municipality that borders on the Gulf of
1-42 Mexico and has a population of more than 250,000 or in an eligible
1-43 coastal municipality with a population of less than 5,000 adjacent
1-44 to a home-rule city with a population of less than 80,000 may not
1-45 exceed nine percent of the price paid for a room.

1-46 SECTION 3. This Act takes effect September 1, 2003.

1-47 * * * * *