

1-1 By: West (Senate Sponsor - Seliger) H.B. No. 3573  
1-2 (In the Senate - Received from the House May 10, 2005; read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; May 21, 2005, reported favorably by the following vote:  
1-5 Yeas 4, Nays 0; May 21, 2005, sent to printer.)

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

1-8 relating to the authority of certain counties to impose a hotel  
1-9 occupancy tax.

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

1-11 SECTION 1. Section 352.002, Tax Code, is amended by adding  
1-12 Subsections (a-1) and (a-2) to read as follows:

1-13 (a-1) In addition to the counties described by Subsection  
1-14 (a), the commissioners court of a county the entire border of which  
1-15 is located within 250 miles of New Mexico, that has a population of  
1-16 more than 100,000, that includes one municipality with a population  
1-17 of more than 90,000 but less than 120,000, and that includes within  
1-18 its borders an international airport may by the adoption of an order  
1-19 or resolution impose a tax on a person who, under a lease,  
1-20 concession, permit, right of access, license, contract, or  
1-21 agreement, pays for the use or possession or for the right to the  
1-22 use or possession of a room that is in a hotel, costs \$2 or more each  
1-23 day, and is ordinarily used for sleeping.

1-24 (a-2) This subsection and Subsection (a-1) expire September  
1-25 1, 2007. A county described by Subsection (a-1) may not impose the  
1-26 tax authorized by that subsection on or after September 1, 2007.

1-27 SECTION 2. Section 352.003, Tax Code, is amended by adding  
1-28 Subsections (h) and (h-1) to read as follows:

1-29 (h) The tax rate in a county authorized to impose the tax  
1-30 under Section 352.002(a-1) may not exceed two percent of the price  
1-31 paid for a room in a hotel in the county.

1-32 (h-1) This subsection and Subsection (h) expire September 1,  
1-33 2007.

1-34 SECTION 3. This Act takes effect immediately if it receives  
1-35 a vote of two-thirds of all the members elected to each house, as  
1-36 provided by Section 39, Article III, Texas Constitution. If this  
1-37 Act does not receive the vote necessary for immediate effect, this  
1-38 Act takes effect September 1, 2005.

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