

1-1 By: Janek S.B. No. 1730  
1-2 (In the Senate - Filed March 11, 2005; March 30, 2005, read  
1-3 first time and referred to Subcommittee on Emerging Technologies  
1-4 and Economic Development; May 6, 2005, reported adversely, with  
1-5 favorable Committee Substitute to Committee on Business and  
1-6 Commerce; May 11, 2005, reported adversely, with favorable  
1-7 Committee Substitute from Committee on Business and Commerce by the  
1-8 following vote: Yeas 7, Nays 0; May 11, 2005, sent to printer.)

1-9 COMMITTEE SUBSTITUTE FOR S.B. No. 1730 By: Brimer

1-10 A BILL TO BE ENTITLED  
1-11 AN ACT

1-12 relating to the use of ad valorem taxes by a municipality or county  
1-13 for a sports and community venue project.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Subchapter B, Chapter 334, Local Government  
1-16 Code, is amended by adding Section 334.0241 to read as follows:

1-17 Sec. 334.0241. ELECTION ON USE OF AD VALOREM TAXES.

1-18 (a) The governing body of a municipality or county imposing a  
1-19 hotel occupancy tax under Subchapter H may order an election on the  
1-20 question of approving the use of revenue derived from ad valorem  
1-21 taxes to finance a venue project.

1-22 (b) The ballot at the election held under this section must  
1-23 be printed to permit voting for or against the proposition:

1-24 "Authorizing \_\_\_\_\_ (insert name of municipality or  
1-25 county) to use an amount not to exceed \_\_\_\_\_ (insert  
1-26 percentage of property tax revenue or dollar amount of revenue to be  
1-27 used) of the revenue derived from the \_\_\_\_\_ (insert "county" or  
1-28 "municipal") property tax, in addition to the hotel occupancy tax  
1-29 and any other applicable taxes, for the purpose of financing the  
1-30 \_\_\_\_\_ (describe the venue project)."

1-31 (c) If a majority of the votes cast at the election under  
1-32 this section favor the use of revenue derived from ad valorem taxes  
1-33 to finance a venue project, the municipality or county shall  
1-34 annually deposit an amount not to exceed the authorized amount of ad  
1-35 valorem tax revenue in the venue project fund of the municipality or  
1-36 county and may use that amount to finance the venue project.

1-37 SECTION 2. Subsection (f), Section 334.041, Local  
1-38 Government Code, is amended to read as follows:

1-39 (f) A municipality or county may not use revenue derived  
1-40 from ad valorem taxes to construct, operate, maintain, or renovate  
1-41 a venue that is part of an approved venue project. This provision  
1-42 does not apply to:

1-43 (1) a venue authorized under Section 334.001(4)(D) or  
1-44 (F); or

1-45 (2) a county or municipality for which the use of  
1-46 revenue derived from ad valorem taxes to finance a venue project is  
1-47 approved at an election held under Section 334.0241.

1-48 SECTION 3. This Act takes effect immediately if it receives  
1-49 a vote of two-thirds of all the members elected to each house, as  
1-50 provided by Section 39, Article III, Texas Constitution. If this  
1-51 Act does not receive the vote necessary for immediate effect, this  
1-52 Act takes effect September 1, 2005.

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