

AN ACT

relating to the use of municipal hotel occupancy taxes for the enhancement and upgrading of sports facilities and fields by certain municipalities.

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

SECTION 1. Subsection (a), Section 351.101, Tax Code, is amended to read as follows:

(a) Revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:

(1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;

(2) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;

(3) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;

(4) the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft

1 arts, motion pictures, radio, television, tape and sound recording,
2 and other arts related to the presentation, performance, execution,
3 and exhibition of these major art forms;

4 (5) historical restoration and preservation projects
5 or activities or advertising and conducting solicitations and
6 promotional programs to encourage tourists and convention
7 delegates to visit preserved historic sites or museums:

8 (A) at or in the immediate vicinity of convention
9 center facilities or visitor information centers; or

10 (B) located elsewhere in the municipality or its
11 vicinity that would be frequented by tourists and convention
12 delegates;

13 (6) for a municipality located in a county with a
14 population of one million or less, expenses, including promotion
15 expenses, directly related to a sporting event in which the
16 majority of participants are tourists who substantially increase
17 economic activity at hotels and motels within the municipality or
18 its vicinity; and

19 (7) subject to Section 351.1076, the promotion of
20 tourism by the enhancement and upgrading of existing sports
21 facilities or fields, including facilities or fields for baseball,
22 softball, soccer, and flag football, if:

23 (A) the municipality owns the facilities or
24 fields;

25 (B) the municipality:

26 (i) has a population of 80,000 or more and
27 is located in a county that has a population of 350,000 or less;

1 [~~or~~]

2 (ii) has a population of at least 65,000 but
3 not more than 70,000 and is located in a county that has a
4 population of 155,000 or less; or

5 (iii) has a population of at least 34,000
6 but not more than 36,000 and is located in a county that has a
7 population of 90,000 or less; and

8 (C) the sports facilities and fields have been
9 used, in the preceding calendar year, a combined total of more than
10 10 times for district, state, regional, or national sports
11 tournaments.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 765 passed the Senate on April 12, 2007, by the following vote: Yeas 31, Nays 0; May 24, 2007, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 26, 2007, House granted request of the Senate; May 27, 2007, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 765 passed the House, with amendment, on May 16, 2007, by the following vote: Yeas 140, Nays 5, two present not voting; May 26, 2007, House granted request of the Senate for appointment of Conference Committee; May 27, 2007, House adopted Conference Committee Report by the following vote: Yeas 129, Nays 14, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor