

SENATE AMENDMENTS

2nd Printing

By: Escobar

H.B. No. 1009

A BILL TO BE ENTITLED

AN ACT

relating to the use of state hotel occupancy tax revenue to clean and maintain beaches in certain municipalities.

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

SECTION 1. Section 156.2512, Tax Code, is amended to read as follows:

Sec. 156.2512. ALLOCATION OF REVENUE TO CERTAIN MUNICIPALITIES. (a) Not later than the last day of the month following a calendar quarter, the comptroller shall:

(1) compute the amount of revenue derived from the collection of taxes imposed under this chapter at a rate of one percent and received from hotels located in an eligible barrier island ~~[general-law]~~ coastal municipality; and

(2) issue to the eligible barrier island ~~[general-law]~~ coastal municipality a warrant drawn on the general revenue fund in the amount computed under Subdivision (1).

(b) An eligible barrier island ~~[general-law]~~ coastal municipality may use money received under this section only to clean and maintain public beaches in that municipality.

(c) In this section:

(1) "Eligible barrier island ~~[general-law]~~ coastal municipality" means a ~~[general-law]~~ municipality:

(A) that has a population of less than 10,000 ~~[5,000]~~;

1 (B) that borders on the Gulf of Mexico; [~~and~~]

2 (C) that is located wholly on a barrier island;

3 and

4 (D) the boundaries of which are within 30 miles
5 of the United Mexican States.

6 (2) "Clean and maintain" has the meaning assigned by
7 Section 61.063, Natural Resources Code.

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

ADOPTED

MAY 17 2007

Lotay Spaw
Secretary of the Senate

By:

Lucio

H.B. No. 1009

Substitute the following for H.B. No. 1009:

By:

Greg Wray

C.S. H.B. No. 1009

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SECTION 1. Section 156.2512, Tax Code, is amended to read as
follows:

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MUNICIPALITIES. (a) Not later than the last day of the month
following a calendar quarter, the comptroller shall:

(1) compute the amount of revenue derived from the
collection of taxes imposed under this chapter at a rate of one
percent and received from hotels located in an eligible barrier
island [~~general-law~~] coastal municipality; and

(2) issue to the eligible barrier island [~~general-law~~]
coastal municipality a warrant drawn on the general revenue fund in
the amount computed under Subdivision (1).

(b) An eligible barrier island [~~general-law~~] coastal
municipality may use money received under this section only:

(1) to clean and maintain public beaches in that
municipality; and

(2) for an erosion response project in that
municipality.

(c) In this section:

(1) "Eligible barrier island [~~general-law~~] coastal

1 municipality" means a [~~general-law~~] municipality:

2 (A) that has a population of less than 10,000
3 [5,000];

4 (B) that borders on the Gulf of Mexico; [~~and~~]

5 (C) that is located wholly on a barrier island;
6 and

7 (D) the boundaries of which are within 30 miles
8 of the United Mexican States.

9 (2) "Clean and maintain" has the meaning assigned by
10 Section 61.063, Natural Resources Code.

11 (3) "Erosion response project" has the meaning
12 assigned by Section 33.601, Natural Resources Code.

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

ADOPTED

MAY 17 2007

Letsy Spaul
Secretary of the Senate

FLOOR AMENDMENT NO. _____

ADOPTED

MAY 17 2007

Letsy Rodriguez
BY Secretary of the Senate

1 Amend C.S.H.B. No. 1009 (senate committee printing) as
2 follows:

3 (1) In SECTION 1 of the bill, in amended Section
4 156.2512(a)(1), Tax Code (page 1, line 21), between "located" and
5 "in", insert "on barrier islands".

6 (2) In SECTION 1 of the bill, strike amended Section
7 156.2512(c)(1), Tax Code (page 1, lines 33 through 41), and
8 substitute the following:

9 (1) "Eligible barrier island [~~general-law~~] coastal
10 municipality" means a [~~general-law~~] municipality:

11 (A) [~~that has a population of less than 5,000,~~

12 [~~(B)~~] that borders on the Gulf of Mexico;

13 (B) that is located wholly or partly on a barrier
14 island; and

15 (C) the boundaries of which are within 30 miles
16 of the United Mexican States or include a portion of a national
17 seashore.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 4, 2007

TO: Honorable Craig Estes, Chair, Senate Committee on S/C on Ag., Rural Affairs & Coastal Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1009 by Escobar (Relating to the use of state hotel occupancy tax revenue to clean and maintain beaches in certain municipalities.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend Section 156.2512 of the Tax Code, relating to the use of state hotel occupancy tax revenue to clean and maintain beaches in certain municipalities.

In addition to the current authorization to use the revenue collected under this section to clean and maintain public beaches, the bill would authorize the use of the revenue for an erosion response project.

Under current law, only South Padre Island qualifies for the allocation and based on the amended definitions set forth by the bill, South Padre Island would remain the only municipality qualifying for the allocation.

The bill would take effect immediately upon enactment, if it receives two-thirds majority votes in each house; otherwise, it would take effect September 1, 2007.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 304 Comptroller of Public Accounts, 305 General Land Office and Veterans' Land Board

LBB Staff: JOB, WK, CT, EB, KJG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 1, 2007

TO: Honorable Craig Estes, Chair, Senate Committee on S/C on Ag., Rural Affairs & Coastal Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1009 by Escobar (Relating to the use of state hotel occupancy tax revenue to clean and maintain beaches in certain municipalities.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend Sec 156.2512 of the Tax Code, relating to the use of state hotel occupancy tax revenue to clean and maintain beaches in certain municipalities.

Under current law, only South Padre Island qualifies for the allocation and based on the amended definitions set forth by the bill, South Padre Island would remain the only municipality qualifying for the allocation.

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LBB Staff: JOB, WK, CT, EB, KJG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 23, 2007

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways & Means

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1009 by Escobar (Relating to the use of state hotel occupancy tax revenue to clean and maintain beaches in certain municipalities.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Sec 156.2512 of the Tax Code, relating to the use of state hotel occupancy tax revenue to clean and maintain beaches in certain municipalities.

Under current law, only South Padre Island qualifies for the allocation and based on the amended definitions set forth by the bill, South Padre Island would remain the only municipality qualifying for the allocation.

The bill would take effect immediately upon enactment, if it receives two-thirds majority votes in each house; otherwise, it would take effect September 1, 2007.

Local Government Impact

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