

By: Ortiz, Jr.

H.B. No. 398

A BILL TO BE ENTITLED

AN ACT

relating to special event trust funds used to promote major athletic, motor sports racing, and other special events in this state.

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

SECTION 1. Title 12, Local Government Code, is amended by adding Subtitle D, consisting of the provisions added to that subtitle by this Act, and a heading to that subtitle is added to read as follows:

SUBTITLE D. SPECIAL EVENT TRUST FUNDS

SECTION 2. Sections 1, 2, 3, 8, and 9, Chapter 1507 (S.B. 456), Acts of the 76th Legislature, Regular Session, 1999 (Article 5190.14, Vernon's Texas Civil Statutes), are transferred to Subtitle D, Title 12, Local Government Code, as added by this Act, designated as Chapter 521, and amended to read as follows:

CHAPTER 521. GENERAL PROVISIONS

Sec. 521.001 [~~1~~]. DEFINITIONS. In this subtitle [~~Act~~]:

(1) [~~"Department" means the Texas Department of Economic Development or its successor.~~]

[~~(1-a)~~] "Endorsing county" means an endorsing county for purposes of Chapter 522, 523, or 524 [~~Section 5 or 5A of this Act~~].

(2) "Endorsing municipality" means an endorsing municipality for purposes of Chapter 522, 523, or 524 [~~Section 4, 5,~~

1 ~~5A, or 5B of this Act].~~

2 (3) ~~["Games" means the 2011 Pan American Games or the~~
3 ~~2012 Olympic Games.~~

4 ~~[(3) "Games" means the Pan American Games, the Olympic~~
5 ~~Games, the Super Bowl, the National Collegiate Athletic Association~~
6 ~~Final Four, the National Basketball Association All-Star Game, the~~
7 ~~National Hockey League All-Star Game, the Major League Baseball~~
8 ~~All-Star Game, the National Collegiate Athletic Association Bowl~~
9 ~~Championship Series Games, the World Cup Soccer Games, or the World~~
10 ~~Games. The term includes the events and activities related to the~~
11 ~~games.~~

12 ~~[(4) "Games support contract" means a joinder~~
13 ~~undertaking, a joinder agreement, or a similar contract executed by~~
14 ~~the department and containing terms permitted or required by this~~
15 ~~Act.~~

16 ~~[(5)] "Joinder agreement" means an agreement entered~~
17 ~~into by[+~~

18 ~~[(A) the department on behalf of this state and a~~
19 ~~site selection organization setting out representations and~~
20 ~~assurances by the state in connection with the selection of a site~~
21 ~~in this state for the location of any of the games; or~~

22 ~~[(B)] an endorsing municipality, an endorsing~~
23 ~~county, or more than one endorsing municipality or county acting~~
24 ~~collectively and a site selection organization setting out~~
25 ~~representations and assurances by each endorsing municipality or~~
26 ~~county in connection with the selection of a site in this state for~~
27 ~~the location of a special event under this subtitle [~~any of the~~~~

1 ~~games~~].

2 (4) [~~(6)~~] "Joinder undertaking" means an agreement
3 entered into by ~~+~~

4 ~~[(A) the department on behalf of this state and a~~
5 ~~site selection organization that the state will execute a joinder~~
6 ~~agreement in the event that the site selection organization selects~~
7 ~~a site in this state for any of the games; or~~

8 ~~[(B)]~~ an endorsing municipality, an endorsing
9 county, or more than one endorsing municipality or county acting
10 collectively and a site selection organization that each endorsing
11 municipality or county will execute a joinder agreement in the
12 event that the site selection organization selects a site in this
13 state for special events under this subtitle [~~any of the games~~].

14 (5) [~~(7)~~] "Local organizing committee" means a
15 nonprofit corporation or its successor in interest that:

16 (A) has been authorized by an endorsing
17 municipality, endorsing county, or more than one endorsing
18 municipality or county acting collectively to pursue an application
19 and bid on the applicant's behalf to a site selection organization
20 for selection as the site of one or more special events under this
21 subtitle [~~games~~]; or

22 (B) with the authorization of an endorsing
23 municipality, endorsing county, or more than [~~that~~] one endorsing
24 municipality or county acting collectively, has executed an
25 agreement with a site selection organization regarding a bid to
26 host one or more special events under this subtitle [~~games~~].

27 (6) [~~(8)~~] "Site selection organization" means a site

1 selection organization for purposes of Chapter 522, 523, or 524
2 ~~[the United States Olympic Committee, the International Olympic~~
3 ~~Committee, the Pan American Sports Organization, the National~~
4 ~~Football League, the National Collegiate Athletic Association, the~~
5 ~~National Basketball Association, the National Hockey League, Major~~
6 ~~League Baseball, Federation Internationale de Football Association~~
7 ~~(FIFA), the International World Games Association, the Automobile~~
8 ~~Competition Committee for the United States (ACCUS) affiliated with~~
9 ~~the Federation Internationale de l'Automobile, the Champ Car~~
10 ~~organization, or the American Le Mans Series organization].~~

11 (7) "Special event" means a game or event as defined by
12 Section 522.001, 523.001, or 524.001.

13 Sec. 521.002 [~~2~~]. PURPOSE. The purpose of this subtitle
14 [~~Act~~] is to provide assurances required by a site selection
15 organization sponsoring one or more special [~~major sporting or~~
16 ~~athletic~~] events and to provide financing for the costs of:

17 (1) applying or bidding for selection as the site of
18 special [~~major sporting or athletic~~] events in this state;

19 (2) making the preparations necessary and desirable
20 for the conduct of special [~~major sporting or athletic~~] events in
21 this state, including the construction or renovation of facilities
22 to the extent authorized by this subtitle [~~Act~~]; and

23 (3) conducting special [~~major sporting or athletic~~]
24 events in this state.

25 Sec. 521.003 [~~3~~]. LEGISLATIVE FINDINGS. The conduct in
26 this state of special [~~one or more major sporting or athletic~~]
27 events will:

1 (1) provide invaluable public visibility throughout
2 the nation or world for this state and the communities where the
3 special [~~major sporting or athletic~~] events are held;

4 (2) encourage and provide major economic benefits to
5 the communities where the special [~~major sporting or athletic~~]
6 events are held and to the entire state; and

7 (3) provide opportunities for the creation of jobs by
8 local and Texas businesses that pay a living wage.

9 Sec. 521.004. RULES. The comptroller may adopt rules as
10 necessary to administer this subtitle.

11 Sec. 521.005 [~~8~~]. APPLICATION OF OPEN MEETINGS AND OPEN
12 RECORDS LAWS. (a) A local organizing committee and its governing
13 body are subject to Chapters 551 and 552, Government Code. For
14 purposes of those chapters, the governing body of a local
15 organizing committee is considered a governmental body as defined
16 by those chapters. For purposes of Chapter 552, Government Code,
17 the records and information of a local organizing committee are
18 considered public records and public information.

19 (b) A final bid that is submitted by a local organizing
20 committee to a site selection organization, or a draft of that bid,
21 is excepted from required public disclosure under Chapter 552,
22 Government Code, until the applicable site selection organization
23 selects the site for the applicable special event [~~games~~].

24 ~~[(c) Chapter 551, Government Code, does not apply to a~~
25 ~~meeting of a subcommittee of the governing body of a local~~
26 ~~organizing committee if:~~

27 ~~[(1) the subcommittee consists of not more than five~~

1 ~~members;~~

2 ~~[(2) the meeting is not held in a public building;~~

3 ~~[(3) the subcommittee makes a tape recording of the~~
4 ~~proceedings of the meeting in compliance with Section 551.103,~~
5 ~~Government Code, and the local organizing committee preserves the~~
6 ~~tape recording for two years from the date the recording is made;~~

7 ~~[(4) the subcommittee does not discuss or decide any~~
8 ~~financial matters during the meeting; and~~

9 ~~[(5) any decision made by the subcommittee will not~~
10 ~~become effective without being reviewed and officially adopted by~~
11 ~~the governing body of the local organizing committee at a meeting~~
12 ~~held in compliance with Chapter 551, Government Code.~~

13 ~~[(d) A tape recording made under Subsection (c) of this~~
14 ~~section is subject to required public disclosure in the manner~~
15 ~~prescribed by Chapter 552, Government Code, for a public record.]~~

16 Sec. 521.006 [9]. TAX EXEMPTIONS FOR LOCAL ORGANIZING
17 COMMITTEE. [~~(a)~~] A local organizing committee that is exempt from
18 paying federal income tax under Section 501(c), Internal Revenue
19 Code of 1986, as amended, is exempt from:

20 (1) the sales, excise, and use taxes imposed under
21 Chapter 151, Tax Code;

22 (2) taxes on the sale, rental, or use of a motor
23 vehicle imposed under Chapter 152, Tax Code;

24 (3) the hotel occupancy tax imposed under Chapter 156,
25 Tax Code; and

26 (4) the franchise tax imposed under Chapter 171, Tax
27 Code.

1 ~~[(b) The exemptions provided by Subsections (a)(1), (2),~~
2 ~~and (3) of this section take effect on the first day of the first~~
3 ~~month after the effective date of this Act. The exemption provided~~
4 ~~by Subsection (a)(4) of this section applies only to a tax imposed~~
5 ~~under Chapter 171, Tax Code, that becomes due on or after the~~
6 ~~effective date of this Act.]~~

7 SECTION 3. Section 5A, Chapter 1507 (S.B. 456), Acts of the
8 76th Legislature, Regular Session, 1999 (Article 5190.14, Vernon's
9 Texas Civil Statutes), is transferred to Subtitle D, Title 12,
10 Local Government Code, as added by this Act, redesignated as
11 Chapter 522, and amended to read as follows:

12 CHAPTER 522. MAJOR SPORTING EVENTS TRUST FUND

13 Sec. 522.001 ~~[5A].~~ DEFINITIONS ~~[PAYMENT OF STATE AND~~
14 ~~MUNICIPAL OR COUNTY OBLIGATIONS; OTHER EVENTS TRUST FUND].~~ ~~[(a)]~~
15 In this chapter ~~[section]~~:

16 (1) "Endorsing county" means a county that contains a
17 site selected by a site selection organization for one or more
18 games.

19 (2) "Endorsing municipality" means a municipality
20 that contains a site selected by a site selection organization for
21 one or more games.

22 (3) "Event support contract" means a joinder
23 undertaking, joinder agreement, or a similar contract executed by
24 an endorsing municipality or endorsing county and a site selection
25 organization.

26 (4) "Game" means the Pan American Games, the Olympic
27 Games, a Super Bowl, a National Collegiate Athletic Association

1 Final Four tournament game, the National Basketball Association
2 All-Star Game, the National Hockey League All-Star Game, the Major
3 League Baseball All-Star Game, a National Collegiate Athletic
4 Association Bowl Championship Series game, a World Cup Soccer game,
5 the World Games, a national collegiate championship of an amateur
6 sport sanctioned by the national governing body of the sport that is
7 recognized by the United States Olympic Committee, or an Olympic
8 activity, including a Junior or Senior activity, training program,
9 or feeder program sanctioned by the United States Olympic
10 Committee's Community Olympic Development Program. The term
11 includes any events and activities related to or associated with a
12 game [~~the games~~].

13 (5) "Site selection organization" means the
14 International Olympic Committee, the Pan American Sports
15 Organization, the National Football League, the National
16 Collegiate Athletic Association, the National Basketball
17 Association, the National Hockey League, Major League Baseball, the
18 Federation Internationale de Football Association (FIFA), the
19 International World Games Association, the United States Olympic
20 Committee, or the national governing body of a sport that is
21 recognized as such by the United States Olympic Committee.

22 Sec. 522.002. DETERMINATION OF INCREMENTAL INCREASE IN TAX
23 RECEIPTS. [~~(b)~~] If a site selection organization selects a site
24 for a game in this state pursuant to an application by a local
25 organizing committee, endorsing municipality, or endorsing county,
26 not later than six [~~three~~] months before the date of the game [~~or~~
27 ~~six months before the date of the game upon request of a local~~

1 ~~organizing committee, endorsing municipality, or endorsing~~
2 ~~county~~], the comptroller shall determine for the one-year
3 ~~[two-week]~~ period that begins on the first day of the sixth calendar
4 month before the calendar month in ~~[ends at the end of the day after~~
5 ~~the date on]~~ which the game will be held, in accordance with
6 procedures developed by the comptroller:

7 (1) the incremental increase in the receipts to the
8 state from taxes imposed under Chapters 151, 152, 156, and 183, Tax
9 Code, and under Title 5, Alcoholic Beverage Code, within the market
10 areas designated under Section 522.003 ~~[Subsection (c) of this~~
11 ~~section]~~, that is directly attributable, as determined by the
12 comptroller, to the preparation for and presentation of the game
13 and related events;

14 (2) the incremental increase in the receipts collected
15 by the state on behalf of each endorsing municipality in the market
16 area from the sales and use tax imposed by each endorsing
17 municipality under Section 321.101(a), Tax Code, and the mixed
18 beverage tax revenue to be received by each endorsing municipality
19 under Section 183.051(b), Tax Code, that is directly attributable,
20 as determined by the comptroller, to the preparation for and
21 presentation of the game and related events;

22 (3) the incremental increase in the receipts collected
23 by the state on behalf of each endorsing county in the market area
24 from the sales and use tax imposed by each endorsing county under
25 Section 323.101(a), Tax Code, and the mixed beverage tax revenue to
26 be received by each endorsing county under Section 183.051(b), Tax
27 Code, that is directly attributable, as determined by the

1 comptroller, to the preparation for and presentation of the game
2 and related events;

3 (4) the incremental increase in the receipts collected
4 by each endorsing municipality in the market area from the hotel
5 occupancy tax imposed under Chapter 351, Tax Code, that is directly
6 attributable, as determined by the comptroller, to the preparation
7 for and presentation of the game and related events; and

8 (5) the incremental increase in the receipts collected
9 by each endorsing county in the market area from the hotel occupancy
10 tax imposed under Chapter 352, Tax Code, that is directly
11 attributable, as determined by the comptroller, to the preparation
12 for and presentation of the game and related events.

13 Sec. 522.003. MARKET AREA. (a) [~~(c)~~] For the purposes of
14 Section 522.002 [~~Subsection (b)(1) of this section~~], the
15 comptroller shall designate as a market area for the game each area
16 in which the comptroller determines there is a reasonable
17 likelihood of measurable economic impact directly attributable to
18 the preparation for and presentation of the game and related
19 events, including areas likely to provide venues, accommodations,
20 and services in connection with the game based on the proposal
21 provided by the local organizing committee to the comptroller.

22 (b) The comptroller shall determine the geographic
23 boundaries of each market area.

24 (c) An endorsing municipality or endorsing county that has
25 been selected as the site for the game must be included in a market
26 area for the game.

27 Sec. 522.004. DEPOSIT OF TAX REVENUE. (a) [~~(d)~~] Each

1 endorsing municipality or endorsing county shall remit to the
2 comptroller and the comptroller shall deposit into [~~a trust fund~~
3 ~~created by the comptroller and designated as~~] the major sporting
4 events [~~Other Events~~] trust fund the amount of the municipality's
5 or county's hotel occupancy tax revenue determined under Section
6 522.002(4) or (5) [~~Subsection (b)(4) or (b)(5) of this section~~],
7 less any amount of the revenue that the municipality or county
8 determines is necessary to meet the obligations of the municipality
9 or county.

10 (b) The comptroller shall retain the amount of sales and use
11 tax revenue and mixed beverage tax revenue determined under Section
12 522.002(2) or (3) [~~Subsection (b)(2) or (b)(3) of this section~~]
13 from the amounts otherwise required to be sent to the municipality
14 under Sections 321.502 and 183.051(b), Tax Code, or to the county
15 under Sections 323.502 and 183.051(b), Tax Code, and deposit into
16 the major sporting events trust fund the tax revenues, less any
17 amount of the revenue that the municipality or county determines is
18 necessary to meet the obligations of the municipality or county.

19 (c) An endorsing municipality or an endorsing county may
20 remit other local funds to the comptroller for deposit into the
21 major sporting events trust fund in an amount not to exceed the
22 total amount of tax revenue the municipality or county retains
23 under Subsection (a) or requires the comptroller to send to the
24 municipality or county under Subsection (b) to meet the obligations
25 of the municipality or county.

26 (d) The comptroller shall begin retaining and depositing
27 the local tax revenues with the first distribution of that tax

1 revenue that occurs after the first day of the one-year [~~two-week~~]
 2 period described by Section 522.002 [~~Subsection (b) of this~~
 3 ~~section~~] and shall discontinue retaining the local tax revenues
 4 under this subsection when the amount of the applicable tax revenue
 5 determined under Section 522.002(2) or (3) [~~Subsection (b)(2) or~~
 6 ~~(b)(3) of this section~~] has been retained.

7 (e) The comptroller shall deposit into the major sporting
 8 events trust fund a portion of the state tax revenue determined
 9 under Section 522.002(1) in an amount equal to 6.25 times the total
 10 amount of local sales and use tax revenue and mixed beverage tax
 11 revenue, local hotel occupancy tax revenue, or other local funds
 12 deposited into the trust fund under this section.

13 Sec. 522.005. MAJOR SPORTING EVENTS TRUST FUND. (a) The
 14 major sporting events [~~Other Events~~] trust fund is established
 15 outside the state treasury and is held in trust by the comptroller
 16 for administration of this chapter [~~Act~~].

17 (b) Money in the trust fund may be disbursed by the
 18 comptroller without appropriation only as provided by this chapter
 19 [~~section~~].

20 Sec. 522.006. PLEDGE OF SURCHARGES FROM USER FEES. [~~(e)~~] In
 21 addition to the [~~tax~~] revenue deposited in the major sporting
 22 events [~~Other Events~~] trust fund under Section 522.004 [~~Subsection~~
 23 ~~(d) of this section~~], an endorsing municipality or endorsing county
 24 may guarantee its obligations under an event [~~a game~~] support
 25 contract and this chapter [~~section~~] by pledging surcharges from
 26 user fees, including parking or ticket fees, charged in connection
 27 with the game.

1 Sec. 522.007. ISSUANCE OF NOTES AUTHORIZED. (a) [~~(f)~~ The
2 comptroller shall deposit a portion of the state tax revenue
3 determined under Subsection (b)(1) of this section in an amount
4 equal to 6.25 times the amount of the local sales and use tax
5 revenue and mixed beverage tax revenue retained and the hotel
6 occupancy tax revenue remitted by an endorsing municipality or
7 endorsing county under Subsection (d) of this section.

8 [~~(g)~~] To meet its obligations under an [~~a game support~~
9 ~~contract or~~] event support contract to improve, construct,
10 renovate, or acquire facilities or to acquire equipment, an
11 endorsing municipality by ordinance or an endorsing county by order
12 may authorize the issuance of notes.

13 (b) An endorsing municipality or endorsing county may
14 provide that the notes be paid from and secured by amounts on
15 deposit or amounts to be deposited into the major sporting events
16 [~~Other Events~~] trust fund or surcharges from user fees, including
17 parking or ticket fees, charged in connection with the game.

18 (c) Any note issued must mature not later than seven years
19 from its date of issuance.

20 Sec. 522.008. PAYMENT OF NOTES AND OBLIGATIONS. [~~(h)~~] The
21 money [~~funds~~] in the major sporting events [~~Other Events~~] trust
22 fund may be used to:

23 (1) pay the principal of and interest on notes issued
24 by an endorsing municipality or endorsing county under Section
25 522.007; [~~Subsection (g) of this section~~] and

26 (2) [~~to~~] fulfill obligations of the state or an
27 endorsing municipality or endorsing county to a site selection

1 organization under an [~~a game support contract or~~] event support
2 contract, which obligations may include the payment of costs
3 relating to the preparations necessary or desirable for the conduct
4 of the game and the payment of costs of conducting the game,
5 including improvements or renovations to existing facilities or
6 other facilities and costs of acquisition or construction of new
7 facilities or other facilities.

8 Sec. 522.009. INFORMATION AND AUDIT. (a) [~~(i)~~] A local
9 organizing committee, endorsing municipality, or endorsing county
10 shall provide information required by the comptroller to enable the
11 comptroller to fulfill the comptroller's duties under this chapter
12 [~~section~~], including:

13 (1) annual audited statements of any financial records
14 required by a site selection organization; and

15 (2) data obtained by the local organizing committee,
16 an endorsing municipality, or an endorsing county relating to
17 attendance at the game and to the economic impact of the game.

18 (b) A local organizing committee, endorsing municipality,
19 or endorsing county must provide an annual audited financial
20 statement required by the comptroller, if any, not later than the
21 end of the fourth month after the date the period covered by the
22 financial statement ends.

23 Sec. 522.010. COMPTROLLER ESTIMATE. (a) [~~(j)~~] The
24 comptroller shall provide an estimate not later than six [~~three~~]
25 months before the date of a game or nine [~~six~~] months before the
26 date of the game upon request of a local organizing committee,
27 endorsing municipality, or endorsing county of the total amount of

1 tax revenue that would be deposited in the major sporting events
2 [~~Other Events~~] trust fund under this chapter [~~section~~] in
3 connection with that game, if the game were to be held in this state
4 at a site selected pursuant to an application by a local organizing
5 committee, endorsing municipality, or endorsing county.

6 (b) The comptroller shall provide the estimate on request to
7 a local organizing committee, endorsing municipality, or endorsing
8 county.

9 (c) A local organizing committee, endorsing municipality,
10 or endorsing county may submit the comptroller's estimate to a site
11 selection organization.

12 Sec. 522.011. DISTRIBUTIONS FROM FUND. (a) [~~(k)~~] The
13 comptroller may make a disbursement from the major sporting events
14 [~~Other Events~~] trust fund on the prior approval of each
15 contributing endorsing municipality or endorsing county for a
16 purpose for which an endorsing municipality or endorsing county or
17 the state is obligated under an [~~a game support contract or~~] event
18 support contract.

19 (b) A disbursement may not be made from the trust fund that
20 the comptroller determines would be used for the purpose of
21 soliciting the relocation of a professional sports franchise
22 located in this state.

23 (c) A [~~(1) If a~~] disbursement [~~is made~~] from the major
24 sporting events [~~Other Events~~] trust fund under Subsection (a)
25 [~~(k), the obligation~~] shall be made [~~satisfied~~] proportionately
26 from the state and local revenue in the trust fund.

27 Sec. 522.012. REMITTANCE OF MONEY REMAINING IN FUND. [~~(m)~~]

1 On payment of all state, municipal, or county obligations under an
2 ~~[a game support contract or]~~ event support contract related to the
3 location of any particular game in the state, the comptroller shall
4 remit to each endorsing entity, in proportion to the amount
5 contributed by the entity, any money remaining in the trust fund.

6 Sec. 522.013. NO STATE GUARANTEE OF OBLIGATIONS. ~~[(n) This~~
7 ~~subsection applies only to a bid for or hosting of the 2004 Super~~
8 ~~Bowl. Notwithstanding any provision in this section to the~~
9 ~~contrary, the comptroller may not retain and the endorsing~~
10 ~~municipality or endorsing county may not remit to the comptroller,~~
11 ~~as applicable, the local tax revenues described in Subsection~~
12 ~~(b)(2), (b)(3), (b)(4), or (b)(5) of this section. For purposes of~~
13 ~~Subsection (f) of this section, the comptroller shall deposit a~~
14 ~~portion of the state tax revenue determined under Subsection (b)(1)~~
15 ~~of this section in an amount equal to 6.25 times the amount of the~~
16 ~~local sales and use tax revenue and mixed beverage tax revenue that~~
17 ~~the comptroller determines pursuant to Subsection (b) of this~~
18 ~~section represents the incremental increase in receipts to an~~
19 ~~endorsing municipality or endorsing county.~~

20 ~~[(o)]~~ This chapter ~~[section]~~ may not be construed as
21 creating or requiring a state guarantee of obligations imposed on
22 the state or an endorsing municipality or endorsing county under an
23 event ~~[a game]~~ support contract or other agreement relating to
24 hosting one or more games in this state.

25 Sec. 522.014. REQUEST REQUIRED. (a) ~~[(p)]~~ The comptroller
26 may not undertake any of the responsibilities or duties set forth in
27 this chapter ~~[section]~~ unless a request is submitted by the

1 municipality and the county in which the game will be located.

2 (b) The request must be accompanied by documentation from a
3 site selection organization selecting the site for the game.

4 SECTION 4. Section 5B, Chapter 1507 (S.B. 456), Acts of the
5 76th Legislature, Regular Session, 1999 (Article 5190.14, Vernon's
6 Texas Civil Statutes), is transferred to Subtitle D, Title 12,
7 Local Government Code, as added by this Act, redesignated as
8 Chapter 523, and amended to read as follows:

9 CHAPTER 523. MOTOR SPORTS RACING TRUST FUND

10 Sec. 523.001 [~~5B~~]. DEFINITIONS [~~GUARANTEE OF STATE AND~~
11 ~~MUNICIPAL OR COUNTY OBLIGATIONS, MOTOR SPORTS RACING TRUST FUND~~].

12 [~~(a)~~] In this chapter [~~section~~]:

13 (1) "Endorsing county" means a county [~~with a~~
14 ~~population of one million or more~~] that contains a site selected by
15 a site selection organization for one or more motor sports racing
16 events.

17 (2) "Endorsing municipality" means a municipality
18 [~~with a population of one million or more~~] that contains a site
19 selected by a site selection organization for one or more motor
20 sports racing events.

21 (3) "Event support contract" means a joinder
22 undertaking, joinder agreement, or similar contract executed by an
23 endorsing municipality or endorsing county and a site selection
24 organization.

25 (4) "Motor sports racing event" means a specific
26 automobile racing event sanctioned by the Automobile Competition
27 Committee for the United States (ACCUS) and held at a temporary

1 event venue. The term includes any events and activities held,
2 sponsored, or endorsed by the site selection organization in
3 conjunction with the racing event.

4 Sec. 523.002. DETERMINATION OF INCREMENTAL INCREASE IN TAX

5 RECEIPTS. [~~(b)~~] If a site selection organization selects a site for
6 a motor sports racing event in this state pursuant to an application
7 by a local organizing committee, endorsing municipality, or
8 endorsing county, not later than three months before the date of the
9 motor sports racing event, the comptroller shall determine for the
10 30-day period that ends at the end of the day after the date on which
11 the racing event will be held, in accordance with procedures
12 developed by the comptroller:

13 (1) the incremental increase in the receipts to the
14 state from taxes imposed under Chapters 151, 152, 156, and 183, Tax
15 Code, and under Title 5, Alcoholic Beverage Code, within the market
16 areas designated under Section 523.003 [~~Subsection (c) of this~~
17 ~~section~~], that is directly attributable, as determined by the
18 comptroller, to the preparation for and presentation of the racing
19 event;

20 (2) the incremental increase in the receipts collected
21 by the state on behalf of each endorsing municipality in the market
22 area from the sales and use tax imposed by each endorsing
23 municipality under Section 321.101(a), Tax Code, and the mixed
24 beverage tax revenue to be received by each endorsing municipality
25 under Section 183.051(b), Tax Code, that is directly attributable,
26 as determined by the comptroller, to the preparation for and
27 presentation of the racing event;

1 (3) the incremental increase in the receipts collected
2 by the state on behalf of each endorsing county in the market area
3 from the sales and use tax imposed by each endorsing county under
4 Section 323.101(a), Tax Code, and the mixed beverage tax revenue to
5 be received by each endorsing county under Section 183.051(b), Tax
6 Code, that is directly attributable, as determined by the
7 comptroller, to the preparation for and presentation of the racing
8 event;

9 (4) the incremental increase in the receipts collected
10 by each endorsing municipality in the market area from the hotel
11 occupancy tax imposed under Chapter 351, Tax Code, that is directly
12 attributable, as determined by the comptroller, to the preparation
13 for and presentation of the racing event; and

14 (5) the incremental increase in the receipts collected
15 by each endorsing county in the market area from the hotel occupancy
16 tax imposed under Chapter 352, Tax Code, that is directly
17 attributable, as determined by the comptroller, to the preparation
18 for and presentation of the racing event.

19 Sec. 523.003. MARKET AREA. (a) [~~(c)~~] For the purposes of
20 Section 523.002 [~~Subsection (b)(1) of this section~~], the
21 comptroller shall designate as a market area for the motor sports
22 racing event each area in which the comptroller determines there is
23 a reasonable likelihood of measurable economic impact directly
24 attributable to the preparation for and presentation of the racing
25 event, including areas likely to provide venues, accommodations,
26 and services in connection with the racing event based on a proposal
27 or other information provided by an endorsing municipality,

1 endorsing county, or local organizing committee to the comptroller.

2 (b) The comptroller shall determine the geographic
3 boundaries of each market area.

4 (c) An endorsing municipality or endorsing county that has
5 been selected as the site for the racing event must be included in a
6 market area for the racing event.

7 Sec. 523.004. DEPOSIT OF TAX REVENUE. (a) [~~(a)~~] Each
8 endorsing municipality or endorsing county shall remit to the
9 comptroller and the comptroller shall deposit into [~~a trust fund~~
10 ~~created by the comptroller and designated as~~] the motor sports
11 racing [~~Motor Sports Racing~~] trust fund for the particular event
12 the amount of the municipality's or county's hotel occupancy tax
13 revenue determined under Section 523.002(4) or (5) [~~Subsection~~
14 ~~(b)(4) or (5) of this section~~], less any amount of the revenue that
15 the municipality or county determines is necessary to meet the
16 obligations of the municipality or county.

17 (b) The comptroller shall retain the amount of sales and use
18 tax revenue and mixed beverage tax revenue determined under Section
19 523.002(2) or (3) [~~Subsection (b)(2) or (3) of this section~~] from
20 the amounts otherwise required to be sent to the municipality under
21 Sections 321.502 and 183.051(b), Tax Code, or to the county under
22 Sections 323.502 and 183.051(b), Tax Code, and deposit into the
23 motor sports racing trust fund the tax revenues, less any amount of
24 the revenue that the municipality or county determines is necessary
25 to meet the obligations of the municipality or county.

26 (c) An endorsing municipality or an endorsing county may
27 remit other local funds to the comptroller for deposit into the

1 motor sports racing trust fund in an amount not to exceed the total
2 amount of tax revenue the municipality or county retains under
3 Subsection (a) or requires the comptroller to send to the
4 municipality or county under Subsection (b) to meet the obligations
5 of the municipality or county.

6 (d) The comptroller shall begin retaining and depositing
7 the local tax revenues with the first distribution of that tax
8 revenue that occurs after the first day of the 30-day period
9 described by Section 523.002 [~~Subsection (b) of this section~~] and
10 shall discontinue retaining the local tax revenues under this
11 subsection when the amount of the applicable tax revenue determined
12 under Section 523.002(2) or (3) [~~Subsection (b)(2) or (3) of this~~
13 ~~section~~] has been retained.

14 (e) The comptroller shall deposit into the motor sports
15 racing trust fund a portion of the state tax revenue determined
16 under Section 523.002(1) in an amount equal to 6.25 times the total
17 amount of local sales and use tax revenue and mixed beverage tax
18 revenue, local hotel occupancy tax revenue, or other local funds
19 deposited into the trust fund under this section.

20 Sec. 523.005. MOTOR SPORTS RACING TRUST FUND. (a) The motor
21 sports racing [~~Motor Sports Racing~~] trust fund is established
22 outside the state treasury and is held in trust by the comptroller
23 for administration of this chapter [~~section~~].

24 (b) Money in the trust fund may be disbursed by the
25 comptroller without appropriation only as provided by this chapter
26 [~~section~~].

27 Sec. 523.006. PLEDGE OF SURCHARGES FROM USER FEES.

1 ~~[(e)]~~ In addition to the ~~[tax]~~ revenue deposited in the motor
 2 sports racing ~~[Motor Sports Racing]~~ trust fund under Section
 3 523.004 ~~[Subsection (d) of this section]~~, an endorsing municipality
 4 or endorsing county may guarantee its obligations under an ~~[a motor~~
 5 ~~sports racing]~~ event support contract and this chapter ~~[section]~~ by
 6 pledging surcharges from user fees, including parking or ticket
 7 fees, charged in connection with the racing event.

8 Sec. 523.007. ISSUANCE OF NOTES AUTHORIZED. (a) ~~[(f)]~~ The
 9 ~~comptroller shall deposit a portion of the state tax revenue~~
 10 ~~determined under Subsection (b)(1) of this section in an amount~~
 11 ~~equal to 6.25 times the amount of the local sales and use tax~~
 12 ~~revenue and mixed beverage tax revenue retained and the hotel~~
 13 ~~occupancy tax revenue remitted by an endorsing municipality or~~
 14 ~~endorsing county under Subsection (d) of this section.~~

15 ~~[(g)]~~ To meet its obligations under an ~~[a motor sports~~
 16 ~~racing event support contract or]~~ event support contract to
 17 improve, renovate, or acquire facilities or to acquire equipment,
 18 an endorsing municipality by ordinance or an endorsing county by
 19 order may authorize the issuance of notes.

20 (b) An endorsing municipality or endorsing county may
 21 provide that the notes be paid from and secured by amounts on
 22 deposit or amounts to be deposited into the motor sports racing
 23 ~~[Motor Sports Racing]~~ trust fund or surcharges from user fees,
 24 including parking or ticket fees, charged in connection with the
 25 racing event.

26 (c) Any note issued must mature not later than seven years
 27 from its date of issuance.

1 Sec. 523.008. PAYMENT OF NOTES AND OBLIGATIONS. [~~(h)~~] The
2 money [~~funds~~] in the motor sports racing [~~Motor Sports Racing~~]
3 trust fund may be used to:

4 (1) pay the principal of and interest on notes issued
5 by an endorsing municipality or endorsing county under Section
6 523.007; [~~Subsection (g) of this section~~] and

7 (2) [~~to~~] fulfill obligations of the state or an
8 endorsing municipality or endorsing county to a site selection
9 organization under an [~~a motor sports racing event support contract~~
10 ~~or~~] event support contract, which obligations may include the
11 payment of costs relating to the preparations necessary or
12 desirable for the conduct of the racing event and the payment of
13 costs of conducting the racing event, including temporary
14 improvements or temporary renovations to existing facilities or
15 other facilities specific to the event.

16 Sec. 523.009. INFORMATION AND AUDIT. (a) [~~(i)~~] A local
17 organizing committee, endorsing municipality, or endorsing county
18 shall provide information required by the comptroller to enable the
19 comptroller to fulfill the comptroller's duties under this chapter
20 [~~section~~], including:

21 (1) annual audited statements of any financial records
22 required by a site selection organization; and

23 (2) data obtained by the local organizing committee,
24 an endorsing municipality, or an endorsing county relating to
25 attendance at the motor sports racing event and to the economic
26 impact of the racing event.

27 (b) A local organizing committee, endorsing municipality,

1 or endorsing county must provide an annual audited financial
2 statement required by the comptroller, if any, not later than the
3 end of the fourth month after the date the period covered by the
4 financial statement ends.

5 Sec. 523.010. COMPTROLLER ESTIMATE. (a) [~~(j)~~] The
6 comptroller shall provide an estimate not later than three months
7 before the date of a motor sports racing event of the total amount
8 of tax revenue that would be deposited in the motor sports racing
9 [~~Motor Sports Racing~~] trust fund under this chapter [~~section~~] in
10 connection with that racing event, if the racing event were to be
11 held in this state at a site selected pursuant to an application by
12 a local organizing committee, endorsing municipality, or endorsing
13 county.

14 (b) The comptroller shall provide the estimate on request to
15 a local organizing committee, endorsing municipality, or endorsing
16 county.

17 (c) A local organizing committee, endorsing municipality,
18 or endorsing county may submit the comptroller's estimate to a site
19 selection organization.

20 Sec. 523.011. DISTRIBUTIONS FROM FUND. (a) [~~(k)~~] The
21 comptroller may make a disbursement from the motor sports racing
22 [~~Motor Sports Racing~~] trust fund on the prior approval of each
23 contributing endorsing municipality or endorsing county for a
24 purpose for which an endorsing municipality or endorsing county or
25 the state is obligated under an [~~a motor sports racing event support~~
26 ~~contract or~~] event support contract.

27 (b) A disbursement may not be made from the trust fund that

1 the comptroller determines would be used for the purpose of
2 soliciting the relocation of a professional sports franchise
3 located in this state.

4 (c) A [~~(1) If a~~] disbursement [~~is made~~] from the motor
5 sports racing [~~Motor Sports Racing~~] trust fund under Subsection (a)
6 [~~(k) of this section, the obligation~~] shall be made [~~satisfied~~]
7 proportionately from the state and local revenue in the trust fund.

8 Sec. 523.012. REMITTANCE OF MONEY REMAINING IN FUND. [~~(m)~~]
9 On payment of all state, municipal, or county obligations under an
10 [~~a motor sports racing support contract or~~] event support contract
11 related to the location of any particular racing event in the state,
12 the comptroller shall remit to each endorsing entity, in proportion
13 to the amount contributed by the entity, any money remaining in the
14 trust fund.

15 Sec. 523.013. NO STATE GUARANTEE OF OBLIGATIONS. [~~(n)~~] This
16 chapter [~~section~~] may not be construed as creating or requiring a
17 state guarantee of obligations imposed on the state or an endorsing
18 municipality or endorsing county under an [~~a motor sports racing~~]
19 event support contract or other agreement relating to hosting one
20 or more racing events in this state.

21 Sec. 523.014. REQUEST REQUIRED. (a) [~~(o)~~] The comptroller
22 may not undertake any of the responsibilities or duties set forth in
23 this chapter [~~section~~] unless a request is submitted by the
24 municipality and the county in which the motor sports racing event
25 will be held.

26 (b) The request must be accompanied by documentation from a
27 site selection organization selecting the site for the racing

1 event.

2 ~~[(p) Any provision of this Act applicable to games as~~
3 ~~defined by Section 1(3) of this Act also applies to a motor sports~~
4 ~~racing event as defined in this section.]~~

5 SECTION 5. Section 5C, Chapter 1507 (S.B. 456), Acts of the
6 76th Legislature, Regular Session, 1999 (Article 5190.14, Vernon's
7 Texas Civil Statutes), is transferred to Subtitle D, Title 12,
8 Local Government Code, as added by this Act, redesignated as
9 Chapter 524, and amended to read as follows:

10 CHAPTER 524. SPECIAL EVENTS TRUST FUND

11 Sec. 524.001 ~~[5C].~~ DEFINITIONS ~~[SPORTING EVENT TRUST FUND~~
12 ~~FOR CERTAIN MUNICIPALITIES AND COUNTIES]~~. ~~[(a)]~~ In this chapter
13 ~~[section]~~:

14 (1) "Endorsing county" means a county ~~[with a~~
15 ~~population of 800,000 or more]~~ that contains a site selected by a
16 site selection organization for one or more events.

17 (2) "Endorsing municipality" means a municipality
18 ~~[with a population of 500,000 or more]~~ that contains a site selected
19 by a site selection organization for one or more events.

20 (3) "Event" means a National Collegiate Athletic
21 Association regional tournament or playoff game, a Senior Olympic
22 activity, including a training program or feeder program sanctioned
23 by the National Senior Games Association, ~~[or]~~ a major sporting or
24 athletic event, a special event that undergoes a nationwide site
25 selection search and that benefits the state's economy, or a
26 related series of events sanctioned by a site selection
27 organization. The term includes any activities related to or

1 associated with the event.

2 (4) "Event support contract" means a joinder
3 undertaking, a joinder agreement, or a similar contract executed by
4 an endorsing municipality or endorsing county and a site selection
5 organization.

6 (5) "Site selection organization" means the United
7 States Olympic Committee (USOC), United States Youth Soccer
8 Association (USYSA), United States Bowling Congress (USBC),
9 Amateur Softball Association of America (ASA), National Senior
10 Games Association (NSGA), American Youth Football and Cheer (AYF),
11 United States Lacrosse (USL), National Collegiate Athletic
12 Association (NCAA), United States Tennis Association (USTA),
13 Special Olympics, National Association for Stock Car Auto Racing
14 (NASCAR), Breeders' Cup, or another major nationally or
15 internationally recognized sports or special events organization.

16 Sec. 524.002. DETERMINATION OF INCREMENTAL INCREASE IN TAX
17 RECEIPTS. [~~(b)~~] If a site selection organization, after considering
18 through a highly competitive process one or more sites that are not
19 located in this state, selects a site for an event in this state
20 pursuant to an application by a local organizing committee,
21 endorsing municipality, or endorsing county, not later than three
22 months before the date of the event, the comptroller shall
23 determine for the 30-day period that ends at the end of the day
24 after the date on which the event will be held or, if the event
25 occurs on more than one day, after the last date on which the event
26 will be held, in accordance with procedures developed by the
27 comptroller:

1 (1) the incremental increase in the receipts to this
2 state from taxes imposed under Chapters 151, 152, 156, and 183, Tax
3 Code, and under Title 5, Alcoholic Beverage Code, within the market
4 areas designated under Section 524.003 [~~Subsection (c) of this~~
5 ~~section~~], that is directly attributable, as determined by the
6 comptroller, to the preparation for and presentation of the event
7 and related activities;

8 (2) the incremental increase in the receipts collected
9 by this state on behalf of each endorsing municipality in the market
10 area from the sales and use tax imposed by each endorsing
11 municipality under Section 321.101(a), Tax Code, and the mixed
12 beverage tax revenue to be received by each endorsing municipality
13 under Section 183.051(b), Tax Code, that is directly attributable,
14 as determined by the comptroller, to the preparation for and
15 presentation of the event and related activities;

16 (3) the incremental increase in the receipts collected
17 by this state on behalf of each endorsing county in the market area
18 from the sales and use tax imposed by each endorsing county under
19 Section 323.101(a), Tax Code, and the mixed beverage tax revenue to
20 be received by each endorsing county under Section 183.051(b), Tax
21 Code, that is directly attributable, as determined by the
22 comptroller, to the preparation for and presentation of the event
23 and related activities;

24 (4) the incremental increase in the receipts collected
25 by each endorsing municipality in the market area from the hotel
26 occupancy tax imposed under Chapter 351, Tax Code, that is directly
27 attributable, as determined by the comptroller, to the preparation

1 for and presentation of the event and related activities; and

2 (5) the incremental increase in the receipts collected
3 by each endorsing county in the market area from the hotel occupancy
4 tax imposed under Chapter 352, Tax Code, that is directly
5 attributable, as determined by the comptroller, to the preparation
6 for and presentation of the event and related activities.

7 Sec. 524.003. MARKET AREA. (a) ~~[(c)]~~ For the purposes of
8 Section 524.002 ~~[Subsection (b)(1) of this section]~~, the
9 comptroller shall designate as a market area for the event each area
10 in which the comptroller determines there is a reasonable
11 likelihood of measurable economic impact directly attributable to
12 the preparation for and presentation of the event and related
13 activities, including areas likely to provide venues,
14 accommodations, and services in connection with the event based on
15 the proposal provided by the local organizing committee to the
16 comptroller.

17 (b) The comptroller shall determine the geographic
18 boundaries of each market area.

19 (c) An endorsing municipality or endorsing county that has
20 been selected as the site for the event must be included in a market
21 area for the event.

22 Sec. 524.004. DEPOSIT OF TAX REVENUE. (a) ~~[(d)]~~ Each
23 endorsing municipality or endorsing county shall remit to the
24 comptroller and the comptroller shall deposit into ~~[a trust fund~~
25 ~~created by the comptroller and designated as]~~ the special
26 ~~[sporting]~~ events trust fund the amount of the municipality's or
27 county's hotel occupancy tax revenue determined under Section

1 524.002(4) or (5) [~~Subsection (b)(4) or (5) of this section~~], less
2 any amount of the revenue that the municipality or county
3 determines is necessary to meet the obligations of the municipality
4 or county.

5 (b) The comptroller shall retain the amount of sales and use
6 tax revenue and mixed beverage tax revenue determined under Section
7 524.002(2) or (3) [~~Subsection (b)(2) or (3) of this section~~] from
8 the amounts otherwise required to be sent to the municipality under
9 Sections 321.502 and 183.051(b), Tax Code, or to the county under
10 Sections 323.502 and 183.051(b), Tax Code, and deposit into the
11 special events trust fund the tax revenues, less any amount of the
12 revenue that the municipality or county determines is necessary to
13 meet the obligations of the municipality or county.

14 (c) An endorsing municipality or an endorsing county may
15 remit other local funds to the comptroller for deposit into the
16 special events trust fund in an amount not to exceed the total
17 amount of tax revenue the municipality or county retains under
18 Subsection (a) or requires the comptroller to send to the
19 municipality or county under Subsection (b) to meet the obligations
20 of the municipality or county.

21 (d) The comptroller shall begin retaining and depositing
22 the local tax revenues with the first distribution of that tax
23 revenue that occurs after the first day of the period described by
24 Section 524.002 [~~Subsection (b) of this section~~] and shall
25 discontinue retaining the local tax revenues under this section
26 [~~subsection~~] when the amount of the applicable tax revenue
27 determined under Section 524.002(2) or (3) [~~Subsection (b)(2) or~~

1 ~~(3) of this section]~~ has been retained.

2 (e) The comptroller shall deposit into the special events
3 trust fund a portion of the state tax revenue determined under
4 Section 524.002(1) in an amount equal to 6.25 times the total amount
5 of local sales and use tax revenue and mixed beverage tax revenue,
6 local hotel occupancy tax revenue, or other local funds deposited
7 into the trust fund under this section.

8 Sec. 524.005. SPECIAL EVENTS TRUST FUND. (a) The special
9 ~~[sporting]~~ events trust fund is established outside the state
10 treasury and is held in trust by the comptroller for administration
11 of this chapter ~~[section]~~.

12 (b) Money in the trust fund may be disbursed by the
13 comptroller without appropriation only as provided by this chapter
14 ~~[section]~~.

15 Sec. 524.006. PLEDGE OF SURCHARGES FROM USER FEES. ~~(e)~~ In
16 addition to the ~~[tax]~~ revenue deposited in the special ~~[sporting]~~
17 events trust fund under Section 524.004 ~~[Subsection (d) of this~~
18 ~~section]~~, an endorsing municipality or endorsing county may
19 guarantee its obligations under an event support contract and this
20 chapter ~~[section]~~ by pledging surcharges from user fees, including
21 parking or ticket fees, charged in connection with the event.

22 Sec. 524.007. ISSUANCE OF NOTES AUTHORIZED. (a) ~~(f)~~ ~~The~~
23 ~~comptroller shall deposit into the sporting events trust fund a~~
24 ~~portion of the state tax revenue determined under Subsection (b)(1)~~
25 ~~of this section in an amount equal to 6.25 times the amount of the~~
26 ~~local sales and use tax revenue and mixed beverage tax revenue~~
27 ~~retained and the hotel occupancy tax revenue remitted by an~~

1 ~~endorsing municipality or endorsing county under Subsection (d) of~~
2 ~~this section.~~

3 ~~[(g)]~~ To meet its obligations under an event support
4 contract to improve, construct, renovate, or acquire facilities or
5 to acquire equipment, an endorsing municipality by ordinance or an
6 endorsing county by order may authorize the issuance of notes.

7 (b) An endorsing municipality or endorsing county may
8 provide that the notes be paid from and secured by amounts on
9 deposit or amounts to be deposited into the special ~~[sporting]~~
10 events trust fund or surcharges from user fees, including parking
11 or ticket fees, charged in connection with the event.

12 (c) Any note issued must mature not later than seven years
13 from its date of issuance.

14 Sec. 524.008. PAYMENT OF NOTES AND OBLIGATIONS. ~~[(h)]~~ The
15 money in the special ~~[sporting]~~ events trust fund may be used to:

16 (1) pay the principal of and interest on notes issued
17 by an endorsing municipality or endorsing county under Section
18 524.007; ~~[Subsection (g) of this section]~~ and

19 (2) ~~[to]~~ fulfill obligations of this state or an
20 endorsing municipality or endorsing county to a site selection
21 organization under an event support contract, which obligations may
22 include the payment of costs relating to the preparations necessary
23 or desirable for the conduct of the event and the payment of costs
24 of conducting the event, including improvements or renovations to
25 existing facilities or other facilities and costs of acquisition or
26 construction of new facilities or other facilities.

27 Sec. 524.009. INFORMATION AND AUDIT. (a) ~~[(i)]~~ A local

1 organizing committee, endorsing municipality, or endorsing county
2 shall provide information required by the comptroller to enable the
3 comptroller to fulfill the comptroller's duties under this chapter
4 ~~[section]~~, including:

5 (1) annual audited statements of any financial records
6 required by a site selection organization; and

7 (2) data obtained by the local organizing committee,
8 an endorsing municipality, or an endorsing county relating to
9 attendance at the event and to the economic impact of the event.

10 **(b)** A local organizing committee, endorsing municipality,
11 or endorsing county must provide an annual audited financial
12 statement required by the comptroller, if any, not later than the
13 end of the fourth month after the date the period covered by the
14 financial statement ends.

15 Sec. 524.010. COMPTROLLER ESTIMATE. (a) Except as
16 provided by Subsection (b), the ~~[(j) The]~~ comptroller shall
17 provide an estimate not later than three months before the date of
18 an event of the total amount of tax revenue that would be deposited
19 in the special ~~[sporting]~~ events trust fund under this chapter
20 ~~[section]~~ in connection with that event, if the event were to be
21 held in this state at a site selected pursuant to an application by
22 a local organizing committee, endorsing municipality, or endorsing
23 county.

24 (b) If the comptroller determines circumstances require
25 providing an estimate or modified estimate at a time other than the
26 time provided by Subsection (a), the comptroller may provide the
27 estimate or a modified estimate at any time during the three months

1 before the date of the event.

2 (c) The comptroller shall provide the estimate on request to
3 a local organizing committee, endorsing municipality, or endorsing
4 county.

5 (d) A local organizing committee, endorsing municipality,
6 or endorsing county may submit the comptroller's estimate to a site
7 selection organization.

8 Sec. 524.011. DISBURSEMENTS FROM FUND. (a) ~~[(k)]~~ The
9 comptroller may make a disbursement from the special ~~[sporting]~~
10 events trust fund on the prior approval of each contributing
11 endorsing municipality or endorsing county for a purpose for which
12 an endorsing municipality or endorsing county or this state is
13 obligated under an event support contract.

14 (b) A disbursement may not be made from the trust fund that
15 the comptroller determines would be used for the purpose of
16 soliciting the relocation of a professional sports franchise
17 located in this state.

18 (c) A ~~[(1) If a]~~ disbursement ~~[is made]~~ from the special
19 ~~[sporting]~~ events trust fund under Subsection (a) ~~[(k) of this~~
20 ~~section, the obligation]~~ shall be made ~~[satisfied]~~ proportionately
21 from the state and local revenue in the trust fund.

22 Sec. 524.012. REMITTANCE OF MONEY REMAINING IN FUND. ~~[(m)]~~
23 On payment of all state, municipal, or county obligations under an
24 event support contract related to the location of any particular
25 event in this state, the comptroller shall remit to each endorsing
26 entity, in proportion to the amount contributed by the entity, any
27 money remaining in the special ~~[sporting]~~ events trust fund.

1 Sec. 524.013. NO STATE GUARANTEE FOR OBLIGATIONS. [~~n~~]

2 This chapter [~~section~~] may not be construed as creating or
3 requiring a state guarantee of obligations imposed on this state or
4 an endorsing municipality or endorsing county under an event
5 support contract or other agreement relating to hosting one or more
6 events in this state.

7 Sec. 524.014. REQUEST REQUIRED. (a) [~~e~~]

8 The comptroller
9 may not undertake any of the responsibilities or duties set forth in
10 this chapter [~~section~~] unless a request is submitted by the
11 municipality or the county in which the event will be located.

12 (b) The request must be accompanied by documentation from a
13 site selection organization selecting the site for the event.

14 SECTION 6. The following are repealed:

15 (1) Chapter 398, Local Government Code; and

16 (2) Sections 4, 5, 6, 7, 10, and 11, Chapter 1507 (S.B.
17 456), Acts of the 76th Legislature, Regular Session, 1999 (Article
18 5190.14, Vernon's Texas Civil Statutes).

19 SECTION 7. Notwithstanding Section 6 of this Act, the
20 repeal of Chapter 398, Local Government Code, does not apply to a
21 special event plan approved under that chapter before the effective
22 date of this Act, and Chapter 398 is continued in effect for
23 purposes of that special event until all obligations payable for
24 that special event under that chapter are satisfied.

25 SECTION 8. (a) The change in law made by this Act applies
26 only to an offense committed on or after the effective date of this
27 Act. For purposes of this section, an offense was committed before
28 the effective date of this Act if any element of the offense

1 occurred before that date.

2 (b) An offense committed before the effective date of this
3 Act is covered by the law in effect when the offense was committed,
4 and the former law is continued in effect for that purpose.

5 SECTION 9. This Act takes effect September 1, 2009.