

By: Rios Ybarra, Gonzales, Leibowitz

H.B. No. 656

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the use of municipal hotel occupancy taxes.
3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
4 SECTION 1. Section 351.101(a), Tax Code, is amended to read
5 as follows:
6 (a) Revenue from the municipal hotel occupancy tax may be
7 used only to promote tourism and the convention and hotel industry,
8 and that use is limited to the following:
9 (1) the acquisition of sites for and the construction,
10 improvement, enlarging, equipping, repairing, operation, and
11 maintenance of convention center facilities or visitor information
12 centers, or both;
13 (2) the furnishing of facilities, personnel, and
14 materials for the registration of convention delegates or
15 registrants;
16 (3) advertising and conducting solicitations and
17 promotional programs to attract tourists and convention delegates
18 or registrants to the municipality or its vicinity;
19 (4) the encouragement, promotion, improvement, and
20 application of the arts, including instrumental and vocal music,
21 dance, drama, folk art, creative writing, architecture, design and
22 allied fields, painting, sculpture, photography, graphic and craft
23 arts, motion pictures, radio, television, tape and sound recording,
24 and other arts related to the presentation, performance, execution,

1 and exhibition of these major art forms;

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

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

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

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

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

21 (A) the municipality owns the facilities or
22 fields;

23 (B) the municipality:

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

26 (ii) has a population of at least 65,000 but
27 not more than 70,000 and is located in a county that has a

1 population of 155,000 or less; or

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

5 (C) the sports facilities and fields have been
6 used, in the preceding calendar year, a combined total of more than
7 10 times for district, state, regional, or national sports
8 tournaments;

9 (8) promotional and event expenses for an ecological
10 tourism event, including an event for which the primary attraction
11 is traveling to an area of natural or ecological interest for the
12 purpose of observing and learning about wildlife and the area's
13 natural environment, if:

14 (A) a majority of the event's participants are
15 tourists; and

16 (B) the event substantially increases economic
17 activity at hotels and motels within or in the vicinity of the
18 municipality; and

19 (9) signage directing the public to sights and
20 attractions that are visited frequently by hotel guests in the
21 municipality.

22 SECTION 2. Section 351.103, Tax Code, is amended by adding
23 Subsection (f) to read as follows:

24 (f) Not more than 15 percent of the hotel occupancy tax
25 revenue collected by a municipality, or the amount of tax received
26 by the municipality at the rate of one percent of the cost of a room,
27 whichever is greater, may be used for the purpose provided by

1 Section 351.101(a)(8).

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2009.