

By: Maldonado

H.B. No. 1789

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the use of municipal hotel occupancy tax revenue to
3 enhance and upgrade sports facilities in certain municipalities.

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

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

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

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

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

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

20 (4) the encouragement, promotion, improvement, and
21 application of the arts, including instrumental and vocal music,
22 dance, drama, folk art, creative writing, architecture, design and
23 allied fields, painting, sculpture, photography, graphic and craft
24 arts, motion pictures, radio, television, tape and sound recording,

1 and other arts related to the presentation, performance, execution,
2 and exhibition of these major art forms;

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

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

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

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

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

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

24 (B) the municipality:

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

27 (ii) has a population of at least 65,000 but

1 not more than 70,000 and is located in a county that has a
2 population of 155,000 or less; [~~or~~]

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

6 (iv) has a population of at least 13,000 but
7 less than 34,000 and is located in a county that has a population of
8 at least 200,000; and

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

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, 2009.