

By: Hughes

H.B. No. 3425

A BILL TO BE ENTITLED

AN ACT

relating to the use of municipal hotel occupancy taxes.

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

SECTION 1. Section 351.101(a), 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 arts, motion pictures, radio, television, tape and sound recording, 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; and

9 (8) signage directing the public to sights and  
10 attractions in the municipality.

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