

By: Geren

H.B. No. 4360

A BILL TO BE ENTITLED

AN ACT

relating to revenue sources for certain venue projects.

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

SECTION 1. Section 334.042(c), Local Government Code, is amended to read as follows:

(c) The municipality or county may deposit into the venue project fund:

(1) money received by the municipality or county from innovative funding concepts such as the sale or lease of luxury boxes or the sale of licenses for personal seats; ~~and~~

(2) any other revenue received by the municipality or county from the approved venue project, including stadium rental payments and revenue from concessions and parking;

(3) if the revenue is not otherwise dedicated, all or a portion of any revenue the municipality or county receives from bonuses, delay rentals, royalties, and any other payments the municipality or county receives as the owner of oil, gas, and other mineral interests;

(4) if the revenue is not otherwise dedicated, all or a portion of any revenues the municipality or county receives from the fees, payments, or charges imposed by:

(A) a joint operating board to which a municipality or county is a party; or

(B) a nonprofit corporation created by and acting

1 on behalf of a county or municipality; and

2 (5) any other revenue the municipality by ordinance or  
3 the county by order determines is appropriate for use in financing a  
4 venue project and related infrastructure.

5 SECTION 2. Section 334.201, Local Government Code, is  
6 amended by adding Subsection (b-1) to read as follows:

7 (b-1) Notwithstanding Subsection (b), if the approved venue  
8 project consists of three or more separate but adjacent venue  
9 facilities, the municipality or county may impose the tax during  
10 any hours.

11 SECTION 3. Section 334.202, Local Government Code, is  
12 amended by amending Subsection (b) and adding Subsection (b-1) to  
13 read as follows:

14 (b) Regardless of the method of imposition, the amount of  
15 the tax may not exceed \$3 for each motor vehicle, except as provided  
16 by Subsection (b-1).

17 (b-1) A municipality with a population of more than 700,000  
18 within a county with a population of more than one million adjacent  
19 to a county with a population of more than two million may impose  
20 the tax authorized by this subchapter at a rate not to exceed \$5 for  
21 each motor vehicle.

22 SECTION 4. Section 334.203(a), Local Government Code, is  
23 amended to read as follows:

24 (a) Except as provided by Section 334.2031, a [A]  
25 municipality or county that has adopted a tax under this subchapter  
26 at a rate of less than \$3 a vehicle may by ordinance or order  
27 increase the rate of the tax to a maximum of \$3 a vehicle if the

1 increase is approved by a majority of the registered voters of that  
2 municipality or county voting at an election called and held for  
3 that purpose.

4 SECTION 5. Subchapter G, Chapter 334, Local Government  
5 Code, is amended by adding Section 334.2031 to read as follows:

6 Sec. 334.2031. RATE INCREASE IN CERTAIN MUNICIPALITIES IN  
7 CERTAIN POPULOUS COUNTIES. (a) This section applies only to a  
8 municipality with a population of more than 700,000 within a county  
9 with a population of more than one million that is adjacent to a  
10 county with a population of more than two million.

11 (b) A municipality that has adopted a tax under this  
12 subchapter at a rate of less than \$5 a vehicle may by ordinance  
13 increase the rate of the tax to a maximum of \$5 a vehicle if the  
14 increase is approved by a majority of the registered voters of the  
15 municipality voting at an election called and held for that  
16 purpose.

17 (c) The ballot for the election to increase the rate of the  
18 tax shall be printed to permit voting for or against the  
19 proposition: "The increase of the parking tax for the purpose of  
20 financing \_\_\_\_\_ (insert description of venue  
21 project) to a maximum rate of \_\_\_\_\_ (insert new maximum rate not to  
22 exceed \$5)."

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