

1-1 By: Geren (Senate Sponsor - Nelson) H.B. No. 4360
1-2 (In the Senate - Received from the House May 12, 2009;
1-3 May 13, 2009, read first time and referred to Committee on Economic
1-4 Development; May 19, 2009, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 19, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to revenue sources for certain venue projects.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 334.042(c), Local Government Code, is
1-11 amended to read as follows:

1-12 (c) The municipality or county may deposit into the venue
1-13 project fund:

1-14 (1) money received by the municipality or county from
1-15 innovative funding concepts such as the sale or lease of luxury
1-16 boxes or the sale of licenses for personal seats; ~~and~~

1-17 (2) any other revenue received by the municipality or
1-18 county from the approved venue project, including stadium rental
1-19 payments and revenue from concessions and parking;

1-20 (3) if the revenue is not otherwise dedicated, all or a
1-21 portion of any revenue the municipality or county receives from
1-22 bonuses, delay rentals, royalties, and any other payments the
1-23 municipality or county receives as the owner of oil, gas, and other
1-24 mineral interests;

1-25 (4) if the revenue is not otherwise dedicated, all or a
1-26 portion of any revenues the municipality or county receives from
1-27 the fees, payments, or charges imposed by:

1-28 (A) a joint operating board to which a
1-29 municipality or county is a party; or

1-30 (B) a nonprofit corporation created by and acting
1-31 on behalf of a county or municipality; and

1-32 (5) any other revenue the municipality by ordinance or
1-33 the county by order determines is appropriate for use in financing a
1-34 venue project and related infrastructure.

1-35 SECTION 2. Section 334.201, Local Government Code, is
1-36 amended by adding Subsection (b-1) to read as follows:

1-37 (b-1) Notwithstanding Subsection (b), if the approved venue
1-38 project consists of three or more separate but adjacent venue
1-39 facilities, the municipality or county may impose the tax during
1-40 any hours.

1-41 SECTION 3. Section 334.202, Local Government Code, is
1-42 amended by amending Subsection (b) and adding Subsection (b-1) to
1-43 read as follows:

1-44 (b) Regardless of the method of imposition, the amount of
1-45 the tax may not exceed \$3 for each motor vehicle, except as provided
1-46 by Subsection (b-1).

1-47 (b-1) A municipality with a population of more than 700,000
1-48 within a county with a population of more than one million adjacent
1-49 to a county with a population of more than two million may impose
1-50 the tax authorized by this subchapter at a rate not to exceed \$5 for
1-51 each motor vehicle.

1-52 SECTION 4. Section 334.203(a), Local Government Code, is
1-53 amended to read as follows:

1-54 (a) Except as provided by Section 334.2031, a [A]
1-55 municipality or county that has adopted a tax under this subchapter
1-56 at a rate of less than \$3 a vehicle may by ordinance or order
1-57 increase the rate of the tax to a maximum of \$3 a vehicle if the
1-58 increase is approved by a majority of the registered voters of that
1-59 municipality or county voting at an election called and held for
1-60 that purpose.

1-61 SECTION 5. Subchapter G, Chapter 334, Local Government
1-62 Code, is amended by adding Section 334.2031 to read as follows:

1-63 Sec. 334.2031. RATE INCREASE IN CERTAIN MUNICIPALITIES IN
1-64 CERTAIN POPULOUS COUNTIES. (a) This section applies only to a

2-1 municipality with a population of more than 700,000 within a county
2-2 with a population of more than one million that is adjacent to a
2-3 county with a population of more than two million.

2-4 (b) A municipality that has adopted a tax under this
2-5 subchapter at a rate of less than \$5 a vehicle may by ordinance
2-6 increase the rate of the tax to a maximum of \$5 a vehicle if the
2-7 increase is approved by a majority of the registered voters of the
2-8 municipality voting at an election called and held for that
2-9 purpose.

2-10 (c) The ballot for the election to increase the rate of the
2-11 tax shall be printed to permit voting for or against the
2-12 proposition: "The increase of the parking tax for the purpose of
2-13 financing _____ (insert description of venue
2-14 project) to a maximum rate of _____ (insert new maximum rate not to
2-15 exceed \$5)."

2-16 SECTION 6. This Act takes effect immediately if it receives
2-17 a vote of two-thirds of all the members elected to each house, as
2-18 provided by Section 39, Article III, Texas Constitution. If this
2-19 Act does not receive the vote necessary for immediate effect, this
2-20 Act takes effect September 1, 2009.

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