

SENATE AMENDMENTS

2nd Printing

By: England

H.B. No. 2032

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of certain municipalities to use tax
3 revenue for certain venue projects.

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

5 SECTION 1. Subchapter A, Chapter 334, Local Government
6 Code, is amended by adding Section 334.0082 to read as follows:

7 Sec. 334.0082. VENUE PROJECTS IN CERTAIN MUNICIPALITIES.

8 (a) This section applies only to a municipality that has a
9 population of at least 176,000, that borders the Rio Grande, and
10 that approved a sports and community venue project before January
11 1, 2009.

12 (b) Notwithstanding any other law, including Section
13 334.089, after complying with Section 334.022, a municipality to
14 which this section applies may hold an election under Section
15 334.024 on the question of approving and implementing a resolution
16 to:

17 (1) authorize the municipality to plan, acquire,
18 establish, develop, construct, or renovate a convention center and
19 related infrastructure in the city limits of the municipality as
20 part of an existing or previously approved sports and community
21 venue project, regardless of whether the convention center is
22 located on the premises of the existing or previously approved
23 venue project;

24 (2) impose a tax under Subchapter H at a rate not to

1 exceed two percent of the cost of a room; and

2 (3) authorize the municipality to finance, operate,
3 and maintain the venue project described by Subdivision (1),
4 including the convention center, using the revenue from any taxes
5 imposed by the municipality under this chapter, including taxes
6 previously approved in relation to the existing or previously
7 approved venue project.

8 (c) If the resolution is approved by a majority of the votes
9 cast in the election, the municipality may implement the
10 resolution.

11 SECTION 2. Section 334.2516(a), Local Government Code, is
12 amended to read as follows:

13 (a) This section applies only to a municipality that:

14 (1) is located in three counties;

15 (2) has a population of less than 130,000 as shown by
16 the 2000 federal decennial census [~~120,000~~]; and

17 (3) acquires by purchase or lease with a term of not
18 less than 20 years an interest in real property that by the terms of
19 the acquisition is required to be maintained as park property.

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

ADOPTED

MAY 15 2009

Henry D. Spaul
Secretary of the Senate

By: ENGLAND (HARRIS)

H.B. No. 2032

Substitute the following for H.B. No. 2032:

By: Chris Laws

C.S.H.B. No. 2032

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of certain municipalities to use tax
3 revenue for certain venue projects.

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

5 SECTION 1. Subchapter A, Chapter 334, Local Government
6 Code, is amended by adding Section 334.0082 to read as follows:

7 Sec. 334.0082. VENUE PROJECTS IN CERTAIN MUNICIPALITIES.

8 (a) This section applies only to a municipality that has a
9 population of at least 176,000, that borders the Rio Grande, and
10 that approved a sports and community venue project before January
11 1, 2009.

12 (b) Notwithstanding any other law, including Section
13 334.089, after complying with Section 334.022, a municipality to
14 which this section applies may hold an election under Section
15 334.024 on the question of approving and implementing a resolution
16 to:

17 (1) authorize the municipality to plan, acquire,
18 establish, develop, construct, or renovate a convention center and
19 related infrastructure in the city limits of the municipality as
20 part of an existing or previously approved sports and community
21 venue project, regardless of whether the convention center is
22 located on the premises of the existing or previously approved
23 venue project;

24 (2) impose a tax under Subchapter H at a rate not to

1 exceed two percent of the cost of a room; and

2 (3) authorize the municipality to finance, operate,
3 and maintain the venue project described by Subdivision (1),
4 including the convention center, using the revenue from any taxes
5 imposed by the municipality under this chapter, including taxes
6 previously approved in relation to the existing or previously
7 approved venue project.

8 (c) If the resolution is approved by a majority of the votes
9 cast in the election, the municipality may implement the
10 resolution.

11 SECTION 2. Section 334.2516(a), Local Government Code, is
12 amended to read as follows:

13 (a) This section applies only to a municipality that:

14 (1) is located in three counties;

15 (2) has a population of less than 130,000 as shown by
16 the 2000 federal decennial census [~~120,000~~]; and

17 (3) acquires by purchase or lease with a term of not
18 less than 20 years an interest in real property that by the terms of
19 the acquisition is required to be maintained as park property.

20 SECTION 3. Section 351.001(7), Tax Code, is amended to read
21 as follows:

22 (7) "Eligible central municipality" means a
23 municipality with a population of more than 140,000 [~~440,000~~] but
24 less than 1.5 million that is located in a county with a population
25 of one million or more and that has adopted a capital improvement
26 plan for the expansion of an existing convention center facility.

27 SECTION 4. Section 1504.003(a), Government Code, is amended

1 to read as follows:

2 (a) Bonds issued under this subchapter must be secured by a
3 pledge of and be payable from all or a designated part of the
4 revenue from the facility for which the bonds are issued or from
5 additional sources made available by the municipality for that
6 purpose, as provided in the ordinance authorizing or approving the
7 issuance of the bonds.

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

ADOPTED

MAY 15 2009

FLOOR AMENDMENT NO. 1

Patricia Spaw
Secretary of the Senate

BY:

J. J. Aring

1 Amend H.B. No. 2032 (Senate Committee printing) in SECTION
2 1 of the bill by striking proposed Subsection (a) of Section
3 334.0082, Local Government Code (page 1, line 16 - 19), and
4 substituting the following:

5 Sec. 334.0082. VENUE PROJECTS IN CERTAIN MUNICIPALITIES.

6 (a) This section applies only to a municipality that:

7 (1) has a population of at least 176,000 that borders the
8 Rio Grande, and that approved a sports and community venue
9 project before January 1, 2009; or

10 (2) is located in a county adjacent to the Texas-Mexico
11 border if:

12 (A) the county has a population of at least 500,000;

13 (B) the county does not have a city located within it
14 that has a population of at least 500,000; and

15 (C) the municipality is the largest municipality in
16 the county described by this subdivision.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 15, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2032 by England (Relating to the authority of certain municipalities to use tax revenue for certain venue projects.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

SECTION 1 of the bill would amend Chapter 334 of the Local Government Code to allow a municipality with a population of at least 176,000, that borders the Rio Grande, and that approved a sports and community venue project before January 1, 2009; or is located in a county adjacent to the Texas-Mexico Border if the county has a population of at least 500,000, the county does not have a city with a population of at least 500,000, and the municipality is the largest in the county to hold an election to authorize the municipality to plan, acquire, establish, develop, construct, or renovate a convention center and related infrastructure in the city limits.

The bill would allow the municipality to impose a hotel occupancy tax at a rate not to exceed two percent of the cost of a room, and authorize the municipality to finance, operate, and maintain the venue project using the revenue from any taxes imposed by the municipality under this chapter. The resolution would pass if it is approved by a majority of the votes cast in an election.

SECTION 2 of the bill would amend Section 334.2516(a) of the Local Government Code. Based on the applicability criteria in this section of the bill, it would only apply to the City of Grand Prairie.

SECTION 3 of the bill would amend Section 351.001(7) of the Tax Code. Based on the applicability criteria in this section of the bill, it appears it would apply to the Cities of Arlington, Irving, Pasadena, and Garland.

SECTION 4 of the bill would amend Section 1504.003(a) of the Government Code to require bonds issued under Subchapter A for a convention center facility to be secured, and be payable from all or part of the revenue from the facility or from additional sources available from the municipality.

Local Government Impact

According to information provided by various municipalities, there would be costs associated with conducting elections and unknown revenue gain if the taxes imposed are approved by voters to finance certain venue projects.

Source Agencies:

LBB Staff: JOB, SD, JRO, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 6, 2009

TO: Honorable Chris Harris, Chair, Senate Committee on Economic Development

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2032 by England (Relating to the authority of certain municipalities to use tax revenue for certain venue projects.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

SECTION 1 of the bill would amend Chapter 334 of the Local Government Code to allow a municipality with a population of at least 176,000, that borders the Rio Grande, and that approved a sports and community venue project before January 1, 2009, to hold an election to authorize the municipality to plan, acquire, establish, develop, construct, or renovate a convention center and related infrastructure in the city limits. Based on the applicability criteria in this section of the bill, it would only apply to the City of Laredo.

The bill would allow the municipality to impose a hotel occupancy tax at a rate not to exceed two percent of the cost of a room, and authorize the municipality to finance, operate, and maintain the venue project using the revenue from any taxes imposed by the municipality under this chapter. The resolution would pass if it is approved by a majority of the votes cast in an election.

SECTION 2 of the bill would amend Section 334.2516(a) of the Local Government Code. Based on the applicability criteria in this section of the bill, it would only apply to the City of Grand Prairie.

SECTION 3 of the bill would amend Section 351.001(7) of the Tax Code. Based on the applicability criteria in this section of the bill, it appears it would apply to the Cities of Arlington, Irving, Pasadena, and Garland.

SECTION 4 of the bill would amend Section 1504.003(a) of the Government Code to require bonds issued under Subchapter A for a convention center facility to be secured, and be payable from all or part of the revenue from the facility or from additional sources available from the municipality.

Local Government Impact

According to information provided by various municipalities, there would be costs associated with conducting elections and unknown revenue gain if the taxes imposed are approved by voters to finance certain venue projects.

Source Agencies:

LBB Staff: JOB, JRO, SD, TP

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 4, 2009

TO: Honorable Chris Harris, Chair, Senate Committee on Economic Development

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2032 by England (Relating to the authority of certain municipalities to use tax revenue for certain venue projects.), **As Engrossed**

No fiscal implication to the State is anticipated.

SECTION 1 of the bill would amend Chapter 334 of the Local Government Code to allow a municipality with a population of at least 176,000, that borders the Rio Grande, and that approved a sports and community venue project before January 1, 2009, to hold an election to authorize the municipality to plan, acquire, establish, develop, construct, or renovate a convention center and related infrastructure in the city limits.

The bill would allow the municipality to impose a hotel occupancy tax at a rate not to exceed two percent of the cost of a room, and authorize the municipality to finance, operate, and maintain the venue project using the revenue from any taxes imposed by the municipality under this chapter. The resolution would pass if it is approved by a majority of the votes cast in an election.

SECTION 2 of the bill would amend Section 334.2516(a) of the Local Government Code. Based on the applicability criteria of the bill, it would only apply to the City of Grand Prairie.

Local Government Impact

According to information provided by various municipalities, there would be costs associated with conducting elections and unknown revenue gain if the taxes imposed are approved by voters to finance certain venue projects.

Source Agencies:

LBB Staff: JOB, JRO, SD, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 21, 2009

TO: Honorable Rene Oliveira, Chair, House Committee on Ways & Means

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2032 by England (Relating to the authority of certain municipalities to use hotel occupancy tax revenue for certain venue projects.), **As Introduced**

No fiscal implication to the State is anticipated.

Based on the applicability criteria of the bill, it would apply only to the City of Grand Prairie.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, MN, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

TAX/FEE EQUITY NOTE

81ST LEGISLATIVE REGULAR SESSION

March 24, 2009

TO: Honorable Rene Oliveira, Chair, House Committee on Ways & Means

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2032 by England (Relating to the authority of certain municipalities to use hotel occupancy tax revenue for certain venue projects.), **As Introduced**

Because the bill would not create or impact a state tax or fee, no comment from this office is required by the rules of the House as to the general effects of the proposal on the distribution of tax and fee burdens among individuals and businesses.

Source Agencies:

LBB Staff: JOB, MN

