	House Bill 1789			
	Senate Amendments			
Section-by-Section Analysis				
HOUSE VERSION	SENATE VERSION	CONFERENCE		
SECTION 1. Section 351.101(a), Tax Code, is amended	SECTION 1. Section 351.101(a), Tax Code, is amended			
to read as follows:	to read as follows:			
(a) Revenue from the municipal hotel occupancy tax	(a) Revenue from the municipal hotel occupancy tax			
may be used only to promote tourism and the convention	may be used only to promote tourism and the convention			
and hotel industry, and that use is limited to the	and hotel industry, and that use is limited to the			
following:	following:			
(1) the acquisition of sites for and the construction,	(1) the acquisition of sites for and the construction,			
improvement, enlarging, equipping, repairing, operation,	improvement, enlarging, equipping, repairing, operation,			
and maintenance of convention center facilities or visitor	and maintenance of convention center facilities or visitor			
information centers, or both;	information centers, or both;			
(2) the furnishing of facilities, personnel, and materials	(2) the furnishing of facilities, personnel, and materials			
for the registration of convention delegates or registrants;	for the registration of convention delegates or registrants;			
(3) advertising and conducting solicitations and	(3) advertising and conducting solicitations and			
promotional programs to attract tourists and convention	promotional programs to attract tourists and convention			
delegates or registrants to the municipality or its vicinity;	delegates or registrants to the municipality or its vicinity;			
(4) the encouragement, promotion, improvement, and	(4) the encouragement, promotion, improvement, and			
application of the arts, including instrumental and vocal	application of the arts, including instrumental and vocal			
music, dance, drama, folk art, creative writing,	music, dance, drama, folk art, creative writing,			
architecture, design and allied fields, painting, sculpture,	architecture, design and allied fields, painting, sculpture,			
photography, graphic and craft arts, motion pictures,	photography, graphic and craft arts, motion pictures,			
radio, television, tape and sound recording, and other arts	radio, television, tape and sound recording, and other arts			
related to the presentation, performance, execution, and	related to the presentation, performance, execution, and			
exhibition of these major art forms;	exhibition of these major art forms;			
(5) historical restoration and preservation projects or	(5) historical restoration and preservation projects or			
activities or advertising and conducting solicitations and	activities or advertising and conducting solicitations and			
promotional programs to encourage tourists and	promotional programs to encourage tourists and			
convention delegates to visit preserved historic sites or	convention delegates to visit preserved historic sites or			
museums:	museums:			
(A) at or in the immediate vicinity of convention center	(A) at or in the immediate vicinity of convention center			
		0.129.659		

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acilities or visitor information centers; or	facilities or visitor information centers; or			
B) located elsewhere in the municipality or its vicinity	(B) located elsewhere in the municipality or its vicinity			
hat would be frequented by tourists and convention	that would be frequented by tourists and convention			
lelegates;	delegates;			
6) for a municipality located in a county with a	(6) for a municipality located in a county with a			
opulation of one million or less, expenses, including	population of one million or less, expenses, including			
romotion expenses, directly related to a sporting event	promotion expenses, directly related to a sporting event			
n which the majority of participants are tourists who	in which the majority of participants are tourists who			
ubstantially increase economic activity at hotels and	substantially increase economic activity at hotels and			
notels within the municipality or its vicinity; [and]	motels within the municipality or its vicinity; [and]			
7) subject to Section 351.1076, the promotion of	(7) subject to Section 351.1076, the promotion of			
ourism by the enhancement and upgrading of existing	tourism by the enhancement and upgrading of existing			
sports facilities or fields, including facilities or fields for	sports facilities or fields, including facilities or fields for			
baseball, softball, soccer, and flag football, if:	baseball, softball, soccer, and flag football, if:			
A) the municipality owns the facilities or fields;	(A) the municipality owns the facilities or fields;			
B) the municipality:	(B) the municipality:			
i) has a population of 80,000 or more and is located in a	(i) has a population of 80,000 or more and is located in a			
ounty that has a population of 350,000 or less;	county that has a population of 350,000 or less;			
ii) has a population of at least 65,000 but not more than	(ii) has a population of at least 65,000 but not more than			
0,000 and is located in a county that has a population of	70,000 and is located in a county that has a population of			
55,000 or less; [ <del>or</del> ]	155,000 or less; $\left[\Theta^{\mathbf{r}}\right]$			
iii) has a population of at least 34,000 but not more than	(iii) has a population of at least 34,000 but not more than			
6,000 and is located in a county that has a population of	36,000 and is located in a county that has a population of			
0,000 or less;	90,000 or less;			
iv) has a population of at least 13,000 but less than	(iv) has a population of at least 13,000 but less than			
19,000 and is located in a county that has a population of	39,000 and is located in a county that has a population of			
t least 200,000; or	at least 200,000;			
v) has a population of at least 65,000 but less than	(v) has a population of at least 65,000 but less than			
30,000 and no part of which is located in a county with a	80,000 and no part of which is located in a county with a			
and the part of which is foculed in a county with a	so, so and no part of minor is foculed in a county man a			

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and (C) the sports facilities and fields have been used, in the preceding calendar year, a combined total of more than 10 times for district, state, regional, or national sports tournaments <u>: and</u> (8) for a municipality with a population of at least 65,000 but less than 80,000, no part of which is located in a county with a population greater than 150,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility.	<ul> <li>population greater than 150,000; or</li> <li>(vi) is located in a county that:</li> <li>(a) is adjacent to the Texas-Mexico border;</li> <li>(b) has a population of at least 500,000; and</li> <li>(c) does not have a municipality with a population greater than 500,000; and</li> <li>(C) the sports facilities and fields have been used, in the preceding calendar year, a combined total of more than 10 times for district, state, regional, or national sports tournaments; and</li> <li>(8) for a municipality with a population of at least 65,000 but less than 80,000, no part of which is located in a county with a population greater than 150,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility.</li> </ul>		
SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.	SECTION 3. Same as House version.		