

BILL ANALYSIS

Senate Research Center
82R18237 ALL-D

H.B. 1033
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Economic Development
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law grants various counties the authority to impose a county hotel occupancy tax. Because the law does not provide a blanket authority applicable to all counties, a county like Crane County cannot impose such a hotel occupancy tax and cannot access a source of local revenue that is available to other counties.

H.B. 1033 amends the Tax Code to authorize the commissioners court of a county that has a population of less than 8,000, that borders the Pecos River, and that borders another county with a population of more than 120,000 to impose a county hotel occupancy tax. The bill establishes that such a tax does not apply to a hotel located in a municipality that imposes a minimal occupancy tax applicable to that hotel.

H.B. 1033 amends current law relating to the authority of certain counties to impose a county hotel occupancy tax.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 352.002, Tax Code, by adding Subsection (j), as follows:

(j) Authorizes the commissioners court of a county that has a population of less than 8,000, that borders the Pecos River, and that borders another county with a population of more than 120,000 to impose a tax as provided by Subsection (a) (authorizing the commissioners courts of certain counties by the adoption of an order or resolution to impose a tax on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs \$2 or more each day, and is ordinarily used for sleeping). Provides that the tax imposed under this subsection does not apply to a hotel located in a municipality that imposes a tax under Chapter 351 (Municipal Hotel Occupancy Taxes) applicable to the hotel.

SECTION 2. Effective date: upon passage or September 1, 2011.