

BILL ANALYSIS

H.B. 1040
By: Gallego
Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Several years ago, Reeves County held a venue district election in which voters approved of a two percent hotel occupancy tax. However, the election was held within the Pecos city limits, rather than countywide as required by law. A sports and community venue district subsequently was created by concurrent order of the mayor of the town of Pecos and the county judge of Reeves County. More recently, Reeves County officials held another countywide initiative that was passed. H.B. 1040 validates the first election and allows the district access to the funds collected after the original election.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1040 validates and confirms the creation of, and election on, a venue project to finance the restoration and renovation of a venue as of the date of an election held before the bill's effective date at which the voters of a municipality approved the creation of the venue project and the levy of a two percent increase in the local hotel occupancy tax. The bill also validates and confirms the levy and collection of a two percent increase in the local hotel occupancy tax for a venue project that occurred before the bill's effective date. The bill makes its provisions inapplicable to any matter that on the bill's effective date is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment or has been held invalid by a final court judgment. The bill specifies that its provisions do not validate any governmental act or proceeding that, under the law in effect at the time the act or proceeding occurred, would constitute a criminal offense punishable as a misdemeanor or felony.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.