

BILL ANALYSIS

Senate Research Center
82R4504 CJC-D

S.B. 804
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Economic Development
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the permissible uses for hotel occupancy tax proceeds are less than clear. S.B. 804 seeks to clarify that Aransas County has the authority to direct hotel occupancy tax revenue to: acquire, construct, furnish, or maintain facilities such as parks, aquariums, birding centers and viewing sites, history and art centers, and nature centers and trails; advertise and conduct solicitations and promotional program to attract conventions and visitors; clear public land; or provide and maintain public restrooms and litter containers on public land.

As proposed, S.B. 804 amends current law relating to the use of revenue from the hotel occupancy tax by certain counties.

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 352.1033, Tax Code, by amending Subsection (a) and adding Subsections (c) and (d), as follows:

(a) Provides that, subject to Subsection (c), the revenue from a tax imposed under this chapter by a county that borders the Gulf of Mexico authorizes to impose the tax by Section 352.002(a)(6) (relating to a county that borders the Gulf of Mexico) may be used only for certain purposes.

(c) Authorizes a county authorized to impose a tax under this chapter by Section 352.002(a)(6) that has a population of 50,000 or less and in which there is located at least one state park and one national wildlife refuge, in addition to the uses allowed by Subsection (a), to use the revenue from the tax to:

- (1) acquire, construct, furnish, or maintain facilities, such as parks, aquariums, birding centers and viewing sites, history and art centers, nature centers, and trails;
- (2) advertise and conduct solicitations and promotional programs to attract conventions and visitors;
- (3) clear public land; and
- (4) provide and maintain public restrooms and litter containers on public land.

(d) Provides that the limitation prescribed by Subsection (b) (relating to using a maximum of 50 percent of tax for the promotion of tourism) does not apply to the use of revenue from a tax imposed under this chapter by a county to which Subsection (c) applies.

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