

AN ACT

relating to the validation of the creation of, and certain acts related to, a venue project, and the dissolution of certain venue districts.

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

SECTION 1. (a) The legislature validates and confirms:

(1) 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 effective date of this Act 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; and

(2) the levy and collection of a two percent increase in the local hotel occupancy tax for a venue project that occurred before the effective date of this Act.

(b) This section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment.

(c) This Act does 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

1 punishable as a misdemeanor or felony.

2 SECTION 2. Chapter 335, Local Government Code, is amended
3 by adding Subchapter G to read as follows:

4 SUBCHAPTER G. DISSOLUTION OF DISTRICTS IN LESS POPULOUS COUNTIES

5 Sec. 335.151. APPLICABILITY. This subchapter applies only
6 to a district wholly located in a county with a population of less
7 than 15,000.

8 Sec. 335.152. DISSOLUTION. The governing body of each
9 political subdivision that created a district may dissolve the
10 district by adopting a concurrent order.

11 Sec. 335.153. ASSETS AND LIABILITIES. (a) The assets and
12 liabilities of a district dissolved under this subchapter shall be
13 transferred to the county in which the district is located.

14 (b) After payment of district liabilities, the county shall
15 use the district assets that remain for an approved venue project of
16 the county.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2011.

H.B. No. 1040

President of the Senate

Speaker of the House

I certify that H.B. No. 1040 was passed by the House on April 14, 2011, by the following vote: Yeas 140, Nays 2, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1040 on May 25, 2011, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1040 was passed by the Senate, with amendments, on May 24, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor