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H.B. No. 3341

A BILL TO BE ENTITLED

AN ACT

relating to the rebate, refund, or payment of tax proceeds to a  
qualified hotel project.

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

SECTION 1. Section 2303.5055, Government Code, is amended  
by adding Subsection (f) to read as follows:

(f) Notwithstanding any other law, the comptroller shall  
deposit eligible taxable proceeds that were collected by or  
forwarded to the comptroller, and to which the qualified hotel  
project is entitled according to an agreement under this section,  
in trust in a separate suspense account of the project. A suspense  
account is outside the state treasury, and the comptroller may make  
a rebate, refund, or payment authorized by this section without the  
necessity of an appropriation. The comptroller shall rebate,  
refund, or pay to each qualified hotel project eligible taxable  
proceeds to which the project is entitled under this section at  
least quarterly.

SECTION 2. Section 151.429(h), Tax Code, is amended to read  
as follows:

(h) Notwithstanding the other provisions of this section,  
the owner of a qualified hotel project shall receive a rebate,  
refund, or payment of 100 percent of the sales and use taxes paid or  
collected by the qualified hotel project or businesses located in  
the qualified hotel project pursuant to this chapter and 100

1 percent of the hotel occupancy taxes paid by persons for the use or  
2 possession of or for the right to the use or possession of a room or  
3 space at the qualified hotel project pursuant to the provisions of  
4 Chapter 156 during the first 10 years after such qualified hotel  
5 project is open for initial occupancy. The comptroller shall  
6 deposit the taxes in trust in a separate suspense account of the  
7 qualified hotel project. A suspense account is outside the state  
8 treasury, and the comptroller may make a rebate, refund, or payment  
9 authorized by this section without the necessity of an  
10 appropriation. The comptroller shall rebate, refund, or pay to  
11 each qualified hotel project eligible taxable proceeds to which the  
12 project is entitled under this section at least monthly.

13       SECTION 3. This Act takes effect September 1, 2011.