

By: Anchia

H.B. No. 3341

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the rebate, refund, or payment of tax proceeds to a
3 qualified hotel project.

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

5 SECTION 1. Section 2303.5055, Government Code, is amended
6 by amending Subsection (a) and adding Subsection (f) to read as
7 follows:

8 (a) For a period that may not exceed 10 years, a
9 governmental body, including the state or a municipality, county,
10 or political subdivision of this state, may agree to rebate,
11 refund, or pay eligible taxable proceeds to the owner of a qualified
12 hotel project at which the eligible taxable proceeds were
13 generated.

14 (f) Notwithstanding any other law, the comptroller shall
15 deposit eligible taxable proceeds that were collected by or
16 forwarded to the comptroller in relation to a qualified hotel
17 project and to which the project is entitled in trust in a separate
18 suspense account of the project. A suspense account is outside the
19 state treasury, and the comptroller may make a rebate, refund, or
20 payment authorized by this section without the necessity of an
21 appropriation. The comptroller shall rebate, refund, or pay to
22 each qualified hotel project the hotel occupancy taxes and sales
23 and use taxes to which the project is entitled under this section at
24 least monthly. The comptroller shall rebate, refund, or pay mixed

1 beverage taxes at least quarterly.

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

4 (h) Notwithstanding the other provisions of this section,
5 the owner of a qualified hotel project shall receive a rebate,
6 refund, or payment of 100 percent of the sales and use taxes paid or
7 collected by the qualified hotel project or businesses located in
8 the qualified hotel project pursuant to this chapter and 100
9 percent of the hotel occupancy taxes paid by persons for the use or
10 possession of or for the right to the use or possession of a room or
11 space at the qualified hotel project pursuant to the provisions of
12 Chapter 156 during the first 10 years after such qualified hotel
13 project is open for initial occupancy. The comptroller shall
14 deposit and rebate, refund, or pay the taxes described by this
15 subsection as provided by Section 2303.5055(f), Government Code.

16 SECTION 3. Section 351.102, Tax Code, is amended by adding
17 Subsection (d) to read as follows:

18 (d) The comptroller shall deposit and rebate, refund, or pay
19 the taxes described by Subsection (c) that are collected by or
20 forwarded to the comptroller as provided by Section 2303.5055(f),
21 Government Code.

22 SECTION 4. This Act takes effect September 1, 2011.