

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 7, 2011**

**TO:** Honorable Harvey Hilderbran, Chair, House Committee on Ways & Means

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: SB804** by Hegar (relating to the use of revenue from the hotel occupancy tax by certain counties.), **Committee Report 2nd House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend Chapter 352 of the Tax Code, regarding the use of county hotel occupancy tax revenue in certain counties.

The bill would allow a county with a population of 50,000 or less, that has both a state park and a national wildlife refuge within its boundaries, to use the revenue from its county hotel occupancy 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; and (3) provide and maintain public restrooms and litter containers on public land in an area that is a tourism venue.

The bill would exempt a county affected by this bill's provisions from the provisions of Section 352.1033(b), which places a limit on the revenue from this tax that can be used for the promotion of tourism.

The bill would take effect immediately upon enactment, assuming that it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect September 1, 2011.

**Local Government Impact**

Under the provisions in the bill, Aransas County would qualify. The bill would have no revenue implications. It could affect how a county uses revenue collected from the county hotel occupancy tax.

**Source Agencies:** 304 Comptroller of Public Accounts

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