

1-1 By: Hegar S.B. No. 585  
1-2 (In the Senate - Filed February 14, 2013; February 20, 2013,  
1-3 read first time and referred to Committee on Economic Development;  
1-4 March 18, 2013, reported favorably by the following vote: Yeas 5,  
1-5 Nays 0; March 18, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Deuell	X		
1-9	Hancock	X		
1-10	Birdwell	X		
1-11	Davis		X	
1-12	Eltife		X	
1-13	Fraser	X		
1-14	Watson	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the use of municipal hotel occupancy tax revenue to  
1-18 enhance and upgrade sports facilities in certain municipalities.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subsection (a), Section 351.101, Tax Code, is  
1-21 amended to read as follows:

1-22 (a) Revenue from the municipal hotel occupancy tax may be  
1-23 used only to promote tourism and the convention and hotel industry,  
1-24 and that use is limited to the following:

1-25 (1) the acquisition of sites for and the construction,  
1-26 improvement, enlarging, equipping, repairing, operation, and  
1-27 maintenance of convention center facilities or visitor information  
1-28 centers, or both;

1-29 (2) the furnishing of facilities, personnel, and  
1-30 materials for the registration of convention delegates or  
1-31 registrants;

1-32 (3) advertising and conducting solicitations and  
1-33 promotional programs to attract tourists and convention delegates  
1-34 or registrants to the municipality or its vicinity;

1-35 (4) the encouragement, promotion, improvement, and  
1-36 application of the arts, including instrumental and vocal music,  
1-37 dance, drama, folk art, creative writing, architecture, design and  
1-38 allied fields, painting, sculpture, photography, graphic and craft  
1-39 arts, motion pictures, radio, television, tape and sound recording,  
1-40 and other arts related to the presentation, performance, execution,  
1-41 and exhibition of these major art forms;

1-42 (5) historical restoration and preservation projects  
1-43 or activities or advertising and conducting solicitations and  
1-44 promotional programs to encourage tourists and convention  
1-45 delegates to visit preserved historic sites or museums:

1-46 (A) at or in the immediate vicinity of convention  
1-47 center facilities or visitor information centers; or

1-48 (B) located elsewhere in the municipality or its  
1-49 vicinity that would be frequented by tourists and convention  
1-50 delegates;

1-51 (6) for a municipality located in a county with a  
1-52 population of one million or less, expenses, including promotion  
1-53 expenses, directly related to a sporting event in which the  
1-54 majority of participants are tourists who substantially increase  
1-55 economic activity at hotels and motels within the municipality or  
1-56 its vicinity;

1-57 (7) subject to Section 351.1076, the promotion of  
1-58 tourism by the enhancement and upgrading of existing sports  
1-59 facilities or fields, including facilities or fields for baseball,  
1-60 softball, soccer, and flag football, if:

1-61 (A) the municipality owns the facilities or

2-1 fields;

2-2 (B) the municipality:

2-3 (i) has a population of 80,000 or more and

2-4 is located in a county that has a population of 350,000 or less;

2-5 (ii) has a population of at least 75,000 but

2-6 not more than 95,000 and is located in a county that has a

2-7 population of less than 200,000 but more than 160,000;

2-8 (iii) has a population of at least 36,000

2-9 but not more than 39,000 and is located in a county that has a

2-10 population of 100,000 or less that is not adjacent to a county with

2-11 a population of more than two million;

2-12 (iv) has a population of at least 13,000 but

2-13 less than 39,000 and is located in a county that has a population of

2-14 at least 200,000;

2-15 (v) has a population of at least 70,000 but

2-16 less than 90,000 and no part of which is located in a county with a

2-17 population greater than 150,000;

2-18 (vi) is located in a county that:

2-19 (a) is adjacent to the Texas-Mexico

2-20 border;

2-21 (b) has a population of at least

2-22 500,000; and

2-23 (c) does not have a municipality with

2-24 a population greater than 500,000; ~~or~~

2-25 (vii) has a population of at least 25,000

2-26 but not more than ~~that~~ 26,000 and is located in a county that has a

2-27 population of 90,000 or less; or

2-28 (viii) is located in a county that has a

2-29 population of not more than 300,000 and in which a component

2-30 university of the University of Houston System is located; and

2-31 (C) the sports facilities and fields have been

2-32 used, in the preceding calendar year, a combined total of more than

2-33 10 times for district, state, regional, or national sports

2-34 tournaments;

2-35 (8) for a municipality with a population of at least

2-36 70,000 but less than 90,000, no part of which is located in a county

2-37 with a population greater than 150,000, the construction,

2-38 improvement, enlarging, equipping, repairing, operation, and

2-39 maintenance of a coliseum or multiuse facility;

2-40 (9) signage directing the public to sights and

2-41 attractions that are visited frequently by hotel guests in the

2-42 municipality;

2-43 (10) the construction of a recreational venue in the

2-44 immediate vicinity of area hotels, if:

2-45 (A) the municipality:

2-46 (i) is a general-law municipality;

2-47 (ii) has a population of not more than 900;

2-48 and

2-49 (iii) does not impose an ad valorem tax;

2-50 (B) not more than \$100,000 of municipal hotel

2-51 occupancy tax revenue is used for the construction of the

2-52 recreational venue;

2-53 (C) a majority of the hotels in the municipality

2-54 request the municipality to construct the recreational venue;

2-55 (D) the recreational venue will be used primarily

2-56 by hotel guests; and

2-57 (E) the municipality will pay for maintenance of

2-58 the recreational venue from the municipality's general fund;

2-59 (11) the construction, improvement, enlarging,

2-60 equipping, repairing, operation, and maintenance of a coliseum or

2-61 multiuse facility, if the municipality:

2-62 (A) has a population of at least 90,000 but less

2-63 than 120,000; and

2-64 (B) is located in two counties, at least one of

2-65 which contains the headwaters of the San Gabriel River; and

2-66 (12) for a municipality with a population of more than

2-67 175,000 but less than 225,000 that is located in two counties, each

2-68 of which has a population of less than 200,000, the construction,

2-69 improvement, enlarging, equipping, repairing, operation, and

3-1 maintenance of a coliseum or multiuse facility and related  
3-2 infrastructure or a venue, as defined by Section 334.001(4), Local  
3-3 Government Code, that is related to the promotion of tourism.

3-4 SECTION 2. This Act takes effect immediately if it receives  
3-5 a vote of two-thirds of all the members elected to each house, as  
3-6 provided by Section 39, Article III, Texas Constitution. If this  
3-7 Act does not receive the vote necessary for immediate effect, this  
3-8 Act takes effect September 1, 2013.

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