

By: Hinojosa, Kolthorst

S.B. No. 749

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the allocation of state hotel occupancy tax revenue to
3 certain barrier island coastal municipalities.

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

5 SECTION 1. Section 156.2512, Tax Code, is amended by
6 amending Subsections (a), (b), and (c) and adding Subsection (e) to
7 read as follows:

8 (a) Not later than the last day of the month following a
9 calendar quarter and subject to Subsection (d), the comptroller
10 shall:

11 (1) compute the amount of revenue, excluding revenue
12 described by Subsection (e), derived from the collection of taxes
13 imposed under this chapter at a rate of two [~~one~~] percent and
14 received from hotels located wholly or partly on barrier islands in
15 an eligible barrier island coastal municipality; [~~described by~~
16 ~~Subsection (c)(1)(C)(i) or (ii)] and~~

17 (2) issue to the municipality a warrant drawn on the
18 general revenue fund for that amount [~~, and~~

19 [~~(2) compute the amount of revenue derived from the~~
20 ~~collection of taxes imposed under this chapter at a rate of two~~
21 ~~percent and received from hotels located on barrier islands in an~~
22 ~~eligible barrier island coastal municipality described by~~
23 ~~Subsection (c)(1)(C)(iii) and issue to the municipality a warrant~~
24 ~~drawn on the general revenue fund for that amount].~~

1 (b) An eligible barrier island coastal municipality may use
2 money received under this section only:

3 (1) to clean and maintain public beaches in that
4 municipality; ~~and~~

5 (2) for an erosion response project in that
6 municipality; and

7 (3) to clean and maintain bay shores owned by that
8 municipality or leased by that municipality from this state.

9 (c) In this section:

10 (1) "Eligible barrier island coastal municipality"
11 means a municipality:

12 (A) that borders on the Gulf of Mexico;

13 (B) that is located wholly or partly on a barrier
14 island; and

15 (C) the boundaries of which:

16 (i) include an institution of higher
17 education that is part of the Texas Coastal Ocean Observation
18 Network under Section 33.065, Natural Resources Code ~~[a portion of~~
19 ~~a national seashore]~~;

20 (ii) include a national estuarine research
21 reserve; or

22 (iii) are within 30 miles of the United
23 Mexican States.

24 (2) "Clean and maintain" has the meaning assigned by
25 Section 61.063, Natural Resources Code.

26 (3) "Erosion response project" has the meaning
27 assigned by Section 33.601, Natural Resources Code.

1 (e) This section does not apply to revenue derived from the
2 collection of taxes paid by persons for the use or possession of or
3 for the right to the use or possession of a room or space at a
4 qualified hotel project, the owner of which is entitled to a rebate,
5 refund, or payment of hotel occupancy tax revenue under:

6 (1) Section 2303.5055, Government Code; or

7 (2) Section 151.429(h).

8 SECTION 2. This Act takes effect September 1, 2015.