

BILL ANALYSIS

C.S.H.B. 3010
By: Lucio III
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that statutory changes are needed to provisions relating to sports and community venues for certain cities, such as Brownsville, to fund new projects. C.S.H.B. 3010 seeks to address this issue by revising provisions relating to authorizing and financing certain sports and community venue projects.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3010 amends the Local Government Code to revise the definition of "venue" as the term applies to sports and community venue provisions applying to more than one type of local government by including in the definition an airport facility located in a municipality located on the international border, by removing language limiting the tourist development areas included in the definition to those along an inland waterway, and by specifying that an area or facility that is part of a municipal parks and recreation system includes an area or facility for active transportation use. The bill defines "active transportation" as transportation that is wholly or primarily powered by human energy, including walking, running, and bicycling. The bill authorizes a municipality located on the international border to finance a municipal parks and recreation system venue project with the revenue from an applicable short-term motor vehicle rental tax. The bill includes an airport facility located in a municipality located on the international border and a tourist development area among the venue projects for which sports and community venue provisions relating to hotel occupancy taxes do not apply to the project's financing.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3010 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 334.001, Local Government Code, is amended by amending Subdivisions (1) and (4) and adding Subdivision (1-a) to read as follows:

(1) "Active transportation" means transportation that is primarily powered by human energy. The term includes walking, running, and bicycling.

(1-a) "Approved venue project" means a sports and community venue project that has been approved under this chapter by the voters of a municipality or county.

(4) "Venue" means:

(A) an arena, coliseum, stadium, or other type of area or facility:

(i) that is used or is planned for use for one or more professional or amateur sports events, community events, or other sports events, including rodeos, livestock shows, agricultural expositions, promotional events, and other civic or charitable events; and

(ii) for which a fee for admission to the events is charged or is planned to be charged;

(B) a convention center, convention center facility as defined by Section 351.001(2) or 352.001(2), Tax Code, or related improvement such as a civic center hotel, theater, opera house, music hall, rehearsal hall, park, zoological park, museum, aquarium, or plaza located in the vicinity of a convention center or facility owned by a municipality or a county;

(C) a tourist development area ~~[along an inland waterway];~~

(D) a municipal parks and recreation system, or improvements or additions to a parks and recreation system, or an area or facility, including an area or facility for active transportation use, that is part of a municipal parks and recreation system;

(E) a project authorized by Section 4A or 4B, Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), as that Act existed on September 1, 1997; ~~[and]~~

(F) a watershed protection and preservation project; a recharge, recharge area, or recharge feature protection project; a conservation easement; or an open-space preservation program intended to protect water; and

(G) an airport facility located in a

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 334.001, Local Government Code, is amended by amending Subdivisions (1) and (4) and adding Subdivision (1-a) to read as follows:

(1) "Active transportation" means transportation that is wholly or primarily powered by human energy. The term includes walking, running, and bicycling.

(1-a) "Approved venue project" means a sports and community venue project that has been approved under this chapter by the voters of a municipality or county.

(4) "Venue" means:

(A) an arena, coliseum, stadium, or other type of area or facility:

(i) that is used or is planned for use for one or more professional or amateur sports events, community events, or other sports events, including rodeos, livestock shows, agricultural expositions, promotional events, and other civic or charitable events; and

(ii) for which a fee for admission to the events is charged or is planned to be charged;

(B) a convention center, convention center facility as defined by Section 351.001(2) or 352.001(2), Tax Code, or related improvement such as a civic center hotel, theater, opera house, music hall, rehearsal hall, park, zoological park, museum, aquarium, or plaza located in the vicinity of a convention center or facility owned by a municipality or a county;

(C) a tourist development area ~~[along an inland waterway];~~

(D) a municipal parks and recreation system, or improvements or additions to a parks and recreation system, or an area or facility, including an area or facility for active transportation use, that is part of a municipal parks and recreation system;

(E) a project authorized by Section 4A or 4B, Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), as that Act existed on September 1, 1997; ~~[and]~~

(F) a watershed protection and preservation project; a recharge, recharge area, or recharge feature protection project; a conservation easement; or an open-space preservation program intended to protect water; and

(G) an airport facility located in a

municipality located on the international border.

SECTION 2. Section 334.1015, Local Government Code, is amended to read as follows:

Sec. 334.1015. APPLICATION. (a) Except as provided by Subsection (b), this [~~This~~] subchapter does not apply to the financing of a venue project that is an area or facility that is part of a municipal parks and recreation system.

(b) This subsection applies only to a municipality located on the international border. This subchapter applies to the financing of a venue project that is an area or facility that is part of a municipal parks and recreation system, including an area of the system for active transportation use.

No equivalent provision.

SECTION 3. This Act takes effect September 1, 2017.

municipality located on the international border.

SECTION 2. Section 334.1015, Local Government Code, is amended to read as follows:

Sec. 334.1015. APPLICATION. (a) Except as provided by Subsection (b), this [~~This~~] subchapter does not apply to the financing of a venue project that is an area or facility that is part of a municipal parks and recreation system.

(b) A municipality located on the international border may finance a venue project described by Section 334.001(4)(D) with the revenue from a tax imposed under this subchapter.

SECTION 3. Section 334.2515, Local Government Code, is amended to read as follows:

Sec. 334.2515. APPLICATION. Except as provided by Section 334.2516, this subchapter does not apply to the financing of a venue project that is:

(1) an area described by Section 334.001(4)(C);

(2) an area or facility that is part of a municipal parks and recreation system as described by Section 334.001(4)(D); [~~or~~]

(3) [~~(2)~~] a project described by Section 334.001(4)(E), except for a project [~~projects~~] described by [~~in~~] Section 334.001(4)(A); or

(4) a facility described by Section 334.001(4)(G).

SECTION 4. Same as introduced version.