

Suspending limitations on conference committee
jurisdiction, H.B. No. 2445

By: Estes

S.R. No. 943

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 85th Legislature, Regular Session, 2017, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 2445 (the use of municipal hotel occupancy tax revenue in certain municipalities) to consider and take action on the following matters:

(1) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 8 of the bill, by adding the following text to amended Section 351.102, Tax Code:

(c-1) A municipality to which this subsection applies is entitled to receive all funds from a hotel and convention center project that the owner of a project could receive under Section 151.429(h) of this code or Section 2303.5055, Government Code, if a project for purposes of those provisions included a hotel and convention center project. The municipality may pledge the funds for payment of obligations issued under this section for the hotel and convention center project. For purposes of this subsection, "hotel and convention center project" means a project that is an existing hotel owned by the municipality or another person and a convention center facility to be acquired, constructed, equipped, or leased, that will be located within

1,000 feet of the hotel, and that will be owned by or located on land owned by the municipality. This subsection applies only to a municipality that:

(1) is the county seat of a county that:

(A) borders the United Mexican States;

(B) has a population of less than 300,000; and

(C) contains one or more municipalities with a population of 200,000 or more; and

(2) holds an annual jalapeño festival.

Explanation: The change is necessary to permit a municipality to which Section 351.102(c-1), Tax Code, as added by the bill, applies to receive and pledge the described funds for the specified purposes.

(2) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 8 of the bill, by adding the following text to added Section 351.102(e), Tax Code:

(e) In addition to the municipalities described by Subsection (b), that subsection also applies to:

. . .

(9) a municipality with a population of less than 2,000 that:

(A) is located adjacent to a bay connected to the Gulf of Mexico;

(B) is located in a county with a population of 290,000 or more that is adjacent to a county with a population of

four million or more; and

(C) has a boardwalk on the bay;

(10) a municipality with a population of 75,000 or more that:

(A) is located wholly in one county with a population of 575,000 or more that is adjacent to a county with a population of four million or more; and

(B) has adopted a capital improvement plan for the construction or expansion of a convention center facility;

(11) a municipality with a population of less than 75,000 that is located in three counties, at least one of which has a population of at least four million; and

(12) an eligible coastal municipality with a population of more than 3,000 but less than 5,000.

Explanation: This change is necessary to add municipalities to the list of municipalities to which Section [351.102\(b\)](#), Tax Code, applies.

(3) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 8 of the bill, by adding the following text to amended Section [351.102](#), Tax Code:

(g) A municipality to which this section applies may not receive or pledge revenue or funds under Subsection (b) or (c) for a hotel project unless the municipality enters into an agreement with a person for the development of the hotel project before September 1, 2019.

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Explanation: This change is necessary to restrict the application of Sections [351.102\(b\)](#) and (c), Tax Code, to eligible municipalities that enter into the specified agreements before September 1, 2019.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 28, 2017, by the following vote: Yeas 25, Nays 5, one present not voting.

Secretary of the Senate