

Amend CSHB 4347 (house committee report) as follows:

(1) Add the following appropriately numbered SECTION to the bill:

SECTION _____. Section 351.001, Tax Code, is amended by adding Subdivision (12) to read as follows:

(12) "Retail establishment" means an establishment engaged in activities described by North American Industry Classification System subsector code 442, 443, 445, 446, 448, 451, 452, or 453.

(2) On page 1, line 20, strike "convention center facility" and substitute "qualified convention center facility, as defined by Section 351.151,".

(3) On page 1, line 24, strike "meeting spaces," and substitute "[meeting spaces,]".

(4) On page 2, line 1, strike "shops" and substitute "retail establishments [~~shops~~"]".

(5) On page 6, line 24, strike "bonds or other obligations" and substitute "bonds, [or] other obligations, or contractual obligations".

(6) On page 7, line 1, strike "bonds or other obligations" and substitute "bonds, [or] other obligations, or contractual obligations".

(7) On page 7, line 14, strike "PLEDGE FOR BONDS BY CERTAIN MUNICIPALITIES" and substitute "PLEDGE OR COMMITMENT OF CERTAIN TAX REVENUE FOR CERTAIN PROJECTS".

(8) On page 7, line 19, strike "has been or will be constructed and that" and substitute "will be constructed and, after that construction".

(9) On page 8, lines 9 and 10, strike "to be acquired, constructed, equipped, or leased by the municipality".

(10) On page 8, line 18, strike "and".

(11) On page 8, between lines 18 and 19, insert the following:

(B) a parking shuttle or transportation system;
and

(12) On page 8, line 19, strike "(B)" and substitute "(C)".

(13) On page 9, line 4, following the underlined period, add

the following:

The municipality or local government corporation is entitled to receive the funds for a period of 10 years beginning on the date the multipurpose convention center facility is issued a certificate of occupancy.

(14) Strike page 9, lines 5-9, and substitute the following:

(c) An eligible municipality or local government corporation acting on behalf of an eligible municipality may pledge or commit the funds to which the municipality or local government corporation is entitled as provided by Subsection (b) for the payment of bonds, other obligations, or contractual obligations issued or incurred for the multipurpose convention center facility project.

(15) On page 9, line 11, between "municipality" and "is entitled", insert "or local government corporation".

(16) On page 9, line 17, between "municipality" and "is", insert "or local government corporation".

(17) On page 9, line 21, strike "PLEDGE FOR BONDS" and substitute "PLEDGE OR COMMITMENT OF CERTAIN TAX REVENUE".

(18) On page 10, line 3, following the underlined period, add the following:

Notwithstanding any other law, the municipality is entitled to receive the funds for a period of 30 years beginning on the date the hotel project is open for initial occupancy.

(19) On page 10, line 6, strike "bonds or other obligations" and substitute "bonds, other obligations, or contractual obligations".

(20) Strike page 10, lines 9-11.

(21) On page 10, line 12, strike "(e)" and substitute "(d)".

(22) On page 10, line 16, strike "(f)" and substitute "(e)".

(23) On page 11, line 1, between "fresh" and "water", insert ", reuse, or alternative".

(24) On page 11, line 4, strike "; and" and substitute ";".

(25) On page 11, between lines 4 and 5, insert the following:

(D) signage, landscaping, and hardscaping; and

(26) On page 11, line 5, strike "(D)" and substitute "(E)".

(27) On page 11, line 18, between "structure" and the underlined semicolon, insert the following:

, but may share common infrastructure or facilities with a hotel such as a heating, ventilation, and air-conditioning system, electrical system, or kitchen

(28) Strike page 11, line 24, through page 12, line 5, and substitute the following:

(3) "Qualified hotel" means a hotel that is designated by a municipality to which this subchapter applies as the hotel that is part of a qualified project. A qualified hotel:

(A) must be located on land owned by the designating municipality;

(B) must be connected to a qualified convention center facility or have an exterior wall that is located not more than 1,000 feet from the nearest exterior wall of the qualified convention center facility; and

(C) may consist of two or more towers, regardless of whether named or branded differently, that:

(i) are constructed at the same time; and

(ii) each meet the requirements of Paragraphs (A) and (B).

(29) On page 12, line 9, strike "and" and substitute "or".

(30) Strike page 12, line 24, through page 13, line 2, and substitute the following:

(ii) acquiring, constructing, repairing, remodeling, or expanding infrastructure that:

(a) is directly related to and necessary for the qualified convention center facility or qualified hotel; and

(b) is located within the property lines of the qualified convention center facility or qualified hotel, or not more than 1,000 feet from the nearest property line of the facility or hotel; or

(31) Strike page 13, lines 6 and 7.

(32) On page 17, line 12, strike "85,000" and substitute "90,000".

(33) Strike page 20, line 8, through page 21, line 9, and

substitute the following:

Sec. 351.155. PLEDGE OR COMMITMENT OF CERTAIN TAX REVENUE FOR OBLIGATIONS FOR QUALIFIED PROJECT. (a) In addition to the authority of a municipality to issue debt under Chapter 1504, Government Code, a municipality may pledge or commit the revenue derived from the tax imposed under this chapter from a qualified hotel and the revenue to which the municipality is entitled under Section 351.156 and, if applicable, Section 351.157 for the payment of:

(1) bonds or other obligations issued for a qualified project; and

(2) contractual obligations related to the project, including obligations under:

(A) a contract authorized by Chapter 380, Local Government Code, for the project; and

(B) an interlocal agreement directly related to the project.

(b) A municipality may pledge or commit revenue for the payment of bonds, other obligations, or contractual obligations under Subsection (a) only if the qualified hotel that is a component of the qualified project for which that revenue is pledged or committed benefits from the pledging or committing of that revenue.

(c) A municipality may pledge or commit revenue under this section for only one qualified project. After a municipality pledges or commits revenue under this section for a qualified project, the municipality may not ever again pledge or commit revenue for a qualified project.

(d) Subsection (c) does not apply to a municipality with a population of 175,000 or more.

(e) A municipality is not entitled to receive revenue under Section 351.156 or 351.157 unless the municipality has pledged or committed a portion of the revenue derived from the tax imposed under this chapter and collected by the qualified hotel for the payment of bonds, other obligations, or contractual obligations described by Subsection (a) and issued or incurred for the qualified project.

(34) On page 21, line 14, between "hotel" and the underlined

comma, insert "or the related qualified convention center facility".

(35) Strike page 22, lines 3-14, and substitute the following:

means an establishment:

(1) that is located on land:

(A) owned by a municipality; or

(B) owned by any person if the establishment is located in a municipality described by Section 351.152(3);

(2) the nearest exterior wall of which is located not more than 1,000 feet from the nearest exterior wall of a qualified hotel or qualified convention center facility;

(3) that is constructed on or after the date the municipality commences a qualified project under this subchapter;

(4) that is not a sports stadium; and

(5) that is the type of establishment described by Subsection (c) from which the municipality is entitled to receive revenue under Subsection (d).

(36) Strike page 22, lines 21-26, and substitute the following:

(6) a municipality described by Section 351.152(22);

(7) a municipality described by Section 351.152(25);

(8) a municipality described by Section 351.152(34);

(9) a municipality described by Section 351.152(35);

(10) a municipality described by Section 351.152(36);

and

(11) a municipality described by Section 351.152(38).

(37) On page 23, line 2, strike "and (3)" and substitute "(3), and (4)".

(38) Strike page 23, lines 6-8, and substitute the following:

(B) swimming pools and swimming facilities owned or operated by the related qualified hotel;

(39) Strike page 23, lines 16-18, and substitute the following:

(B) swimming pools and swimming facilities owned or operated by the related qualified hotel;

(40) Strike page 24, lines 1-8, and substitute the following:

restaurants, bars, and retail establishments;

(10) for a municipality described by Subsection

(b)(10):

(A) restaurants, bars, and retail establishments; and

(B) swimming pools and swimming facilities owned or operated by the related qualified hotel; and

(11) for a municipality described by Subsection

(b)(11):

(A) restaurants, bars, and retail establishments; and

(B) swimming pools and swimming facilities owned or operated by the related qualified hotel.

(41) Strike page 25, lines 21-22, and substitute the following:

other obligations, executes an agreement under Chapter 380, Local Government Code, or executes an interlocal agreement directly related to the project that is secured by a pledge or commitment of revenue under that subsection for the project on or after the effective date of this

(42) Strike page 25, line 25, and substitute the following: bonds or other obligations, executed an agreement under Chapter 380, Local Government Code, or executed an interlocal agreement directly related to the project that is secured by a pledge or commitment of revenue under that

(43) On page 25, line 27, strike "was adopted" and substitute the following:

was adopted or the agreement was executed

(44) Strike page 26, lines 7-8, and substitute the following:

obligations, executes or amends an agreement under Chapter 380, Local Government Code, or executes or amends an interlocal agreement directly related to the qualified project that is secured by a pledge or commitment of revenue under Subchapter C,

(45) On page 26, strike lines 11-18 and substitute the

following appropriately numbered SECTION:

SECTION _____. The changes in law made by this Act do not affect the validity of a bond, other obligation, or contractual obligation for which revenue was pledged or committed under Section 351.102, Tax Code, before the effective date of this Act. Bonds, other obligations, or contractual obligations for which revenue was pledged or committed before the effective date of this Act are governed by the law in effect when the revenue was pledged or committed, and that law is continued in effect for purposes of the validity of those bonds, obligations, and contractual obligations.

(46) Renumber the SECTIONS of the bill appropriately.