

## **BILL ANALYSIS**

H.B. 3579  
By: Burrows  
Ways & Means  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that the rights and duties of individuals who are or engage with a third-party that is not a hotel for the purpose of reserving a room or space in a hotel are unclear with regard to tax calculation, collection and remittance obligations under current law. H.B. 3579 seeks to facilitate the efficient administration of state hotel occupancy taxes by clearly establishing the calculation of the hotel occupancy tax, and providing for the collection and remittance by those who collect payment for the room or space in a hotel.

### **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**

H.B. 3579 amends the Tax Code to subject a space in a hotel to the hotel occupancy tax and to revise the charges considered to be the price of a room or space in a hotel for purposes of the tax by:

- including in the price all charges related to the use or possession of the room or space, including charges for cleaning and readying the room or space, furniture rental charges, and charges for reserving or booking the room or space; and
- excluding from the price charges for food or personal or telecommunications services if those charges are separately itemized.

H.B. 3579 requires a person who collects payment for a hotel room or space, if the person who owns, operates, manages, or controls the hotel is not the person who collects the payment, to collect for the state the hotel occupancy tax and to certify to the person who owns, operates, manages, or controls the hotel that the tax has been collected and will be paid to the comptroller of public accounts. The bill authorizes the person who owns, operates, manages, or controls the hotel who accepts such certification in good faith to exclude the amount of any taxes certified as collected from the person's filed hotel occupancy tax report.

### **EFFECTIVE DATE**

January 1, 2020.