

By: Morales of Maverick

H.B. No. 2172

Substitute the following for H.B. No. 2172:

By: Martinez Fischer

C.S.H.B. No. 2172

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the hotel occupancy tax imposed by certain counties and
3 the use of revenue from that tax; reducing the maximum rate of that
4 tax.

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

6 SECTION 1. Section 352.002(d), Tax Code, is amended to read
7 as follows:

8 (d) The tax imposed by a county authorized by Subsection
9 (a)(6) [~~(a)(4), (6)~~], (8), (9), (10), (11), (14), (15), (17), (19),
10 (20), (21), (23), or (29) to impose the tax does not apply to a hotel
11 located in a municipality that imposes a tax under Chapter 351
12 applicable to the hotel. This subsection does not apply to:

13 (1) a county authorized by Subsection (a)(6) to impose
14 the tax that:

15 (A) has a population of less than 40,000 and
16 adjoins the most populous county in this state; or

17 (B) has a population of more than 200,000 and
18 borders the Neches River; or

19 (2) a county authorized by Subsection (a)(9) to impose
20 the tax that has a population of more than 9,000.

21 SECTION 2. Section 352.003, Tax Code, is amended by adding
22 Subsection (y) to read as follows:

23 (y) The tax rate in a county authorized to impose the tax
24 under Section 352.002(a)(4) may not exceed two percent of the price

1 paid for a room in a hotel.

2 SECTION 3. Subchapter B, Chapter 352, Tax Code, is amended
3 by adding Section 352.114 to read as follows:

4 Sec. 352.114. USE OF REVENUE: CERTAIN COUNTIES CONTAINING
5 AN INDIAN RESERVATION. (a) In addition to the purposes authorized
6 by this chapter, the revenue from a tax imposed under this chapter
7 by a county authorized to impose the tax under Section
8 352.002(a)(4) may be used to make repairs and improvements to the
9 county airport or to provide reimbursement for repairs and
10 improvements to the airport.

11 (b) A county to which this section applies may not use
12 revenue from a tax imposed under this chapter for a purpose
13 described by Subsection (a) in a total amount that would exceed the
14 amount of hotel revenue in the county that is likely to be
15 reasonably attributable to guests traveling through the airport
16 during the 15-year period beginning on the date the county first
17 uses the tax revenue for that purpose.

18 (c) A county to which this section applies may not use
19 revenue from a tax imposed under this chapter for a purpose
20 described by Subsection (a) after the 10th anniversary of the date
21 the county first uses the revenue for that purpose.

22 SECTION 4. This Act takes effect September 1, 2021.