

By: Zwiener

H.B. No. 2433

A BILL TO BE ENTITLED

AN ACT

relating to the use of municipal hotel occupancy tax revenue by certain municipalities.

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

SECTION 1. Section 351.10692, Tax Code, is amended by amending Subsections (a) and (c) and adding Subsection (e) to read as follows:

(a) This section applies only to a municipality that is ~~[with a population of less than 2,000]~~ located in a county that:

(1) is adjacent to the county in which the State Capitol is located; and

(2) contains ~~[has a population of]~~:

(A) a headquarters and visitor center for a national historical park dedicated to a former president of the United States ~~[not more than 25,000]~~; or

(B) more than one area that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program ~~[at least 100,000 but not more than 200,000]~~.

(c) A municipality that uses revenue from the municipal hotel occupancy tax for a purpose described by Subsection (b):

(1) shall make a good-faith estimate based on reasonable documentation of ~~[determine]~~ the annual amount of area hotel revenue attributable to dark skies related events and

1 activities [~~for five years after the date the municipality first~~
2 ~~uses hotel occupancy tax revenue for a purpose described by~~
3 ~~Subsection (b)~~]; and

4 (2) may not spend municipal hotel occupancy tax
5 revenue for the purposes described by Subsection (b) in an annual [~~a~~
6 ~~total~~] amount that exceeds the amount determined under Subdivision
7 (1).

8 (e) A municipality that uses municipal hotel occupancy tax
9 revenue under this section may not reduce the percentage of revenue
10 from that tax allocated for a purpose described by Section
11 351.101(a)(3) to a percentage that is less than the average
12 percentage of the revenue from that tax allocated by the
13 municipality for the purpose described by Section 351.101(a)(3)
14 during the 36-month period preceding the date the municipality
15 begins using revenue for a purpose described by this section.

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2021.