

By: Zwiener

H.B. No. 2433

Substitute the following for H.B. No. 2433:

By: Guerra

C.S.H.B. No. 2433

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the use of municipal hotel occupancy tax revenue by
3 certain municipalities.

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

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

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

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

12 (2) has a population of less than 300,000 [+

13 ~~[(A) not more than 25,000, or~~

14 ~~[(B) at least 100,000 but not more than 200,000].~~

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

17 (1) shall make a good-faith estimate based on
18 reasonable documentation of ~~[determine]~~ the annual amount of area
19 hotel revenue attributable to dark skies related events and
20 activities ~~[for five years after the date the municipality first~~
21 ~~uses hotel occupancy tax revenue for a purpose described by~~
22 ~~Subsection (b)]~~; and

23 (2) may not spend municipal hotel occupancy tax
24 revenue for the purposes described by Subsection (b) in an annual [a

1 ~~total]~~ amount that exceeds the amount determined under Subdivision
2 (1).

3 (e) A municipality that uses municipal hotel occupancy tax
4 revenue under this section may not reduce the percentage of revenue
5 from that tax allocated for a purpose described by Section
6 351.101(a)(3) to a percentage that is less than the average
7 percentage of the revenue from that tax allocated by the
8 municipality for the purpose described by Section 351.101(a)(3)
9 during the 36-month period preceding the date the municipality
10 begins using revenue for a purpose described by this section.

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