

Suspending limitations on conference committee  
jurisdiction, H.B. No. 4305 (Morales of Maverick/Blanco)

By: Morales of Maverick

H.R. No. 2086

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, 87th Legislature, Regular Session, 2021, That House Rule 13,  
3 Section 9(a), be suspended in part as provided by House Rule 13,  
4 Section 9(f), to enable the conference committee appointed to  
5 resolve the differences on House Bill 4305 (the use of municipal  
6 hotel occupancy tax revenue in certain municipalities, the  
7 entitlement of certain municipalities to certain tax revenue  
8 related to certain hotel and other projects, and the rate and  
9 applicability of and use of revenue from the hotel occupancy tax in  
10 certain counties; authorizing the imposition of a tax; changing the  
11 maximum rate of a tax) to consider and take action on the following  
12 matter:

13 House Rule 13, Section 9(a)(4), is suspended to permit the  
14 committee to add text on a matter not included in either the house  
15 or senate version of the bill in proposed SECTION 2 of the bill, by  
16 amending Section 351.152, Tax Code, to read as follows:

17 Sec. 351.152. APPLICABILITY. This subchapter applies only  
18 to:

19 (1) a municipality described by Section  
20 351.001(7)(B);

21 (2) a municipality described by Section  
22 351.001(7)(D);

23 (3) a municipality described by Section  
24 351.001(7)(E);

1           (4) a municipality described by Section  
2 351.102(e)(3);

3           (5) a municipality that contains more than 75 percent  
4 of the population of a county with a population of 1.5 million or  
5 more;

6           (6) a municipality with a population of 150,000 or  
7 more but less than 200,000 that is partially located in at least one  
8 county with a population of 125,000 or more;

9           (7) a municipality with a population of 150,000 or  
10 more but less than one million that is located in one county with a  
11 population of 2.3 million or more;

12           (8) a municipality with a population of 180,000 or  
13 more that:

14                   (A) is located in two counties, each with a  
15 population of 100,000 or more; and

16                   (B) contains an American Quarter Horse Hall of  
17 Fame and Museum;

18           (9) a municipality with a population of 96,000 or more  
19 that is located in a county that borders Lake Palestine;

20           (10) a municipality with a population of 96,000 or  
21 more that is located in a county that contains the headwaters of the  
22 San Gabriel River;

23           (11) a municipality with a population of 99,900 or  
24 more but less than 111,000 that is located in a county with a  
25 population of 135,000 or more;

26           (12) a municipality with a population of 110,000 or  
27 more but less than 135,000 at least part of which is located in a

1 county with a population of less than 135,000;

2 (13) a municipality with a population of 9,000 or more  
3 but less than 10,000 that is located in two counties, each of which  
4 has a population of 662,000 or more and a southern border with a  
5 county with a population of 2.3 million or more;

6 (14) a municipality with a population of 200,000 or  
7 more but less than 300,000 that contains a component institution of  
8 the Texas Tech University System;

9 (15) a municipality with a population of 95,000 or  
10 more that:

11 (A) is located in more than one county; and

12 (B) borders Lake Lewisville;

13 (16) a municipality with a population of 45,000 or  
14 more that:

15 (A) contains a portion of Cedar Hill State Park;

16 (B) is located in two counties, one of which has a  
17 population of two million or more and one of which has a population  
18 of 149,000 or more; and

19 (C) has adopted a capital improvement plan for  
20 the construction or expansion of a convention center facility;

21 (17) a municipality with a population of less than  
22 6,000 that:

23 (A) is almost wholly located in a county with a  
24 population of 600,000 or more that is adjacent to a county with a  
25 population of two million or more;

26 (B) is partially located in a county with a  
27 population of 1.8 million or more that is adjacent to a county with

1 a population of two million or more;

2 (C) has a visitor center and museum located in a  
3 19th-century rock building in the municipality's downtown; and

4 (D) has a waterpark open to the public;

5 (18) a municipality with a population of 56,000 or  
6 more that:

7 (A) borders Lake Ray Hubbard; and

8 (B) is located in two counties, one of which has a  
9 population of less than 80,000;

10 (19) a municipality with a population of 83,000 or  
11 more that:

12 (A) borders Clear Lake; and

13 (B) is primarily located in a county with a  
14 population of less than 300,000;

15 (20) a municipality with a population of less than  
16 2,000 that:

17 (A) is located adjacent to a bay connected to the  
18 Gulf of Mexico;

19 (B) is located in a county with a population of  
20 290,000 or more that is adjacent to a county with a population of  
21 four million or more; and

22 (C) has a boardwalk on the bay;

23 (21) a municipality with a population of 75,000 or  
24 more that:

25 (A) is located wholly in one county with a  
26 population of 575,000 or more that is adjacent to a county with a  
27 population of four million or more; and

1 (B) has adopted a capital improvement plan for  
2 the construction or expansion of a convention center facility;

3 (22) a municipality with a population of less than  
4 75,000 that is located in three counties, at least one of which has  
5 a population of four million or more;

6 (23) an eligible coastal municipality with a  
7 population of 3,000 or more but less than 5,000;

8 (24) a municipality with a population of 90,000 or  
9 more but less than 150,000 that:

10 (A) is located in three counties; and

11 (B) contains a branch campus of a component  
12 institution of the University of Houston System;

13 (25) a municipality that is:

14 (A) primarily located in a county with a  
15 population of four million or more; and

16 (B) connected by a bridge to a municipality  
17 described by Subdivision (20);

18 (26) a municipality with a population of 20,000 or  
19 more but less than 25,000 that:

20 (A) contains a portion of Mustang Bayou; and

21 (B) is wholly located in a county with a  
22 population of less than 500,000;

23 (27) a municipality with a population of 70,000 or  
24 more but less than 90,000 that is located in two counties, one of  
25 which has a population of four million or more and the other of  
26 which has a population of less than 50,000;

27 (28) a municipality with a population of 10,000 or

1 more that:

2 (A) is wholly located in a county with a  
3 population of four million or more; and

4 (B) has a city hall located less than three miles  
5 from a space center operated by an agency of the federal government;

6 (29) a municipality that is the county seat of a  
7 county:

8 (A) through which the Pedernales River flows; and

9 (B) in which the birthplace of a president of the  
10 United States is located;

11 (30) a municipality that contains a portion of U.S.  
12 Highway 79 and State Highway 130;

13 (31) a municipality with a population of 48,000 or  
14 more but less than 95,000 that is located in two counties, one of  
15 which has a population of 900,000 or more but less than 1.7 million;

16 (32) a municipality with a population of less than  
17 25,000 that contains a museum of Western American art;

18 (33) a municipality with a population of 50,000 or  
19 more that is the county seat of a county that contains a portion of  
20 the Sam Houston National Forest;

21 (34) a municipality with a population of less than  
22 25,000 that:

23 (A) contains a cultural heritage museum; and

24 (B) is located in a county that borders the  
25 United Mexican States and the Gulf of Mexico;

26 (35) a municipality that is the county seat of a county  
27 that:

1 (A) has a population of 115,000 or more;  
2 (B) is adjacent to a county with a population of  
3 1.8 million or more; and

4 (C) hosts an annual peach festival;

5 (36) a municipality that is the county seat of a county  
6 that:

7 (A) has a population of 585,000 or more; and

8 (B) is adjacent to a county with a population of  
9 four million or more;

10 (37) a municipality with a population of less than  
11 10,000 that:

12 (A) contains a component university of The Texas  
13 A&M University System; and

14 (B) is located in a county adjacent to a county  
15 that borders Oklahoma;

16 (38) a municipality with a population of less than  
17 6,100 that:

18 (A) is located in two counties, each of which has  
19 a population of 600,000 or more but less than two million; and

20 (B) hosts an annual Cajun Festival;

21 (39) a municipality with a population of 13,000 or  
22 more that:

23 (A) is located on an international border; and

24 (B) is located in a county:

25 (i) with a population of less than 400,000;

26 and

27 (ii) in which at least one World Birding

1 Center site is located;

2 (40) a municipality with a population of 4,000 or more  
3 that:

4 (A) is located on an international border; and

5 (B) is located not more than five miles from a  
6 state historic site that serves as a visitor center for a state park  
7 that contains 300,000 or more acres of land;

8 (41) a municipality with a population of 36,000 or  
9 more that is adjacent to at least two municipalities described by  
10 Subdivision (15); ~~and~~

11 (42) a municipality with a population of 28,000 or  
12 more in which is located a historic railroad depot and heritage  
13 center; and

14 (43) a municipality that is the county seat of a county  
15 that borders the Gulf of Mexico and the United Mexican States.

16 Explanation: This change is necessary to expand the  
17 applicability of Subchapter C, Chapter 351, Tax Code, relating to  
18 municipal hotel and convention center projects, to a municipality  
19 that is the county seat of a county that borders the Gulf of Mexico  
20 and the United Mexican States.