2023S0193-1 02/22/23

By:  Blanco S.B. No. 1208

A BILL TO BE ENTITLED

AN ACT

relating to the hotel occupancy tax imposed by certain rural counties and by municipalities located in those counties and to the use of revenue from that tax.

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

SECTION 1.  Subchapter B, Chapter 351, Tax Code, is amended by adding Section 351.1037 to read as follows:

Sec. 351.1037.  ALLOCATION OF REVENUE FOR INFRASTRUCTURE IN MUNICIPALITIES IN CERTAIN BORDER COUNTIES. (a) This section applies only to a municipality that is located within a county described by Section 352.115(b).

(b)  Notwithstanding any other provision of this chapter, revenue from a tax imposed under this chapter by a municipality described by Subsection (a) may be used to plan, construct, and maintain:

(1)  transportation and water infrastructure located in the municipality; and

(2)  broadband infrastructure located in the municipality.

SECTION 2.  Section 352.002, Tax Code, is amended by amending Subsection (u) and adding Subsection (ee) to read as follows:

(u)  The commissioners court of a county that borders the Rio Grande River and has a population of less than 6,000 and an area of more than 2,500 square miles may impose a tax as provided by Subsection (a). [~~A tax imposed under this subsection does not apply to a hotel located in a municipality that imposes a tax under Chapter 351 applicable to the hotel.~~]

(ee) The commissioners court of a county that contains land west of the Pecos River, that has a population of more than 1,000 but less than 850,000, and that does not contain a national recreation area may impose a tax as provided by Subsection (a).

SECTION 3.  Subchapter B, Chapter 352, Tax Code, is amended by adding Section 352.115 to read as follows:

Sec. 352.115.  USE OF REVENUE IN CERTAIN COUNTIES WEST OF THE PECOS RIVER. (a)  Notwithstanding any other provision of this chapter, the revenue from a tax imposed under this chapter by a county described by Subsection (b) may be used to plan, construct, and maintain:

(1)  transportation and water infrastructure located in the county; and

(2)  broadband infrastructure in the county.

(b)  This section applies only to a county that:

(1)  contains land west of the Pecos River;

(2)  has a population of more than 1,000 but less than 850,000; and

(3)  does not contain a national recreation area.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.