

By: Leach

H.B. No. 4682

Substitute the following for H.B. No. 4682:

By: Button

C.S.H.B. No. 4682

A BILL TO BE ENTITLED

AN ACT

relating to the use of municipal hotel occupancy tax revenue and certain tax revenue derived from a hotel and convention center project by certain municipalities.

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

SECTION 1. Section 351.101(q), Tax Code, is amended to read as follows:

(q) In addition to the purposes provided by Subsections (a) and (e), a municipality described by Section 351.152(75) or a municipality with a population of more than 10,000 that has a city hall located less than three miles from a space center operated by an agency of the federal government and that is wholly located in a county with a population of four million or more may use revenue from the hotel occupancy tax for the construction, improvement, enlarging, equipping, renovating, repairing, operation, and maintenance of a coliseum or multiuse facility and related infrastructure or a venue, as defined by Section 334.001(4), Local Government Code, that is related to the promotion of tourism, including a hotel, resort, or convention center facility located on land owned by the municipality or a nonprofit corporation acting on behalf of the municipality. This subsection does not authorize a municipality described by Section 351.152(75) to use revenue from the hotel occupancy tax for the construction, improvement, enlarging, equipping, renovating, repairing, operation, or

maintenance of a road, street, or water or sewer facility.

SECTION 2. Section 351.152, Tax Code, is amended to read as follows:

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

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

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

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

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

(5) a municipality that contains more than 70 percent of the population of a county with a population of 1.5 million or more;

(6) a municipality with a population of 175,000 or more but less than 200,000 that is partially located in at least one county with a population of 125,000 or more;

(7) a municipality with a population of 250,000 or more but less than one million that is located in one county with a population of 2.5 million or more;

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

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

(B) contains an American Quarter Horse Hall of

1 Fame and Museum;

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

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

7 (11) a municipality with a population of at least  
8 95,000 that is located in a county that is bisected by United States  
9 Highway 385 and has a population of not more than 170,000;

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

13 (13) a municipality with a population of 28,000 or  
14 more but less than 31,000 that is located in two counties, each of  
15 which has a population of 900,000 or more and a southern border with  
16 a county with a population of 2.5 million or more;

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

20 (15) a municipality with a population of 95,000 or  
21 more that:

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

23 (B) borders Lake Lewisville;

24 (16) a municipality with a population of 45,000 or  
25 more that:

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

27 (B) is located in two counties, one of which has a

1 population of 2.5 million or more and one of which has a population  
2 of 190,000 or more; and

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

5 (17) a municipality with a population of less than  
6 10,000 that:

7 (A) is almost wholly located in a county with a  
8 population of 900,000 or more that is adjacent to a county with a  
9 population of 2.5 million or more;

10 (B) is partially located in a county with a  
11 population of 2.1 million or more that is adjacent to a county with  
12 a population of 2.5 million or more;

13 (C) has a visitor center and museum located in a  
14 19th-century rock building in the municipality's downtown; and

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

16 (18) a municipality with a population of 60,000 or  
17 more that:

18 (A) borders Lake Ray Hubbard; and

19 (B) is located in two counties, one of which has a  
20 population of less than 110,000;

21 (19) a municipality with a population of 110,000 or  
22 more that:

23 (A) borders Clear Lake; and

24 (B) is primarily located in a county with a  
25 population of less than 355,000;

26 (20) a municipality with a population of less than  
27 2,000 that:

1 (A) is located adjacent to a bay connected to the  
2 Gulf of Mexico;

3 (B) is located in a county with a population of  
4 290,000 or more that is adjacent to a county with a population of  
5 four million or more; and

6 (C) has a boardwalk on the bay;

7 (21) a municipality with a population of 75,000 or  
8 more that:

9 (A) is located wholly in one county with a  
10 population of 800,000 or more that is adjacent to a county with a  
11 population of four million or more; and

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

14 (22) a municipality with a population of less than  
15 70,000 that is located in three counties, at least one of which has  
16 a population of four million or more;

17 (23) an eligible coastal municipality with a  
18 population of 2,900 or more but less than 5,000;

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

21 (A) is located in three counties; and

22 (B) contains a branch campus of a component  
23 institution of the University of Houston System;

24 (25) a municipality that is:

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

27 (B) connected by a bridge to a municipality

1 described by Subdivision (20);

2 (26) a municipality with a population of 25,000 or  
3 more but less than 30,000 that:

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

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

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

11 (28) a municipality with a population of 10,000 or  
12 more that:

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

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

17 (29) a municipality that is the county seat of a  
18 county:

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

20 (B) in which the birthplace of a president of the  
21 United States is located;

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

24 (31) a municipality with a population of 70,000 or  
25 more but less than 115,000 that is located in two counties, one of  
26 which has a population of 1.1 million or more but less than 1.9  
27 million;

1           (32) a municipality with a population of less than  
2 25,000 that contains a museum of Western American art;

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

6           (34) a municipality with a population of less than  
7 25,000 that:

8                   (A) contains a cultural heritage museum; and

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

11           (35) a municipality that is the county seat of a county  
12 that:

13                   (A) has a population of 115,000 or more;

14                   (B) is adjacent to a county with a population of  
15 2.1 million or more; and

16                   (C) hosts an annual peach festival;

17           (36) a municipality that is the county seat of a county  
18 that:

19                   (A) has a population of 800,000 or more; and

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

22           (37) a municipality with a population of less than  
23 10,000 that:

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

26                   (B) is located in a county adjacent to a county  
27 that borders Oklahoma;

(38) a municipality with a population of less than 17,000 that:

(A) is located in two counties, each of which has a population of 900,000 or more but less than two million; and

(B) hosts an annual Cajun Festival;

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

(A) is located on an international border; and

(B) is located in a county:

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

(ii) in which at least one World Birding Center site is located;

(40) a municipality with a population of 3,200 or more that:

(A) is located on an international border; and

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

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

(42) a municipality with a population of 28,000 or more that is located in a county with a population of 240,000 or more that contains a portion of the Blanco River and in which is located a historic railroad depot and heritage center;

(43) a municipality located in a county that has a

1 population of not more than 300,000 and in which a component  
2 university of the University of Houston System is located;

3 (44) a municipality with a population of less than  
4 500,000 that is:

5 (A) located in two counties; and

6 (B) adjacent to a municipality described by  
7 Subdivision (31);

8 (45) a municipality that:

9 (A) has a population of more than 67,000; and

10 (B) is located in two counties with 90 percent of  
11 the municipality's territory located in a county with a population  
12 of at least 800,000, and the remaining territory located in a county  
13 with a population of at least four million;

14 (46) a municipality that:

15 (A) has a population of 100,000 or more; and

16 (B) is wholly located in, but is not the county  
17 seat of, a county with a population of one million or more:

18 (i) in which all or part of a municipality  
19 with a population of one million or more is located; and

20 (ii) that is adjacent to a county with a  
21 population of 2.5 million or more;

22 (47) a municipality that is the county seat of a county  
23 bordering the Gulf of Mexico and the United Mexican States;

24 (48) a municipality that is bisected by the Guadalupe  
25 River and is the county seat of a county with a population of  
26 170,000 or more;

27 (49) a municipality with a population of 70,000 or

1 more but less than 150,000 that borders Joe Pool Lake;

2 (50) a municipality with a population of 115,000 or  
3 more that borders the Neches River;

4 (51) a municipality described by Section [351.101\(k\)](#);

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

7 (A) through which the Brazos River flows; and

8 (B) in which a national monument is located;

9 (53) a municipality with a population of 45,000 or  
10 more that:

11 (A) is not the county seat of a county;

12 (B) is located in a single county; and

13 (C) contains a portion of Lake Lewisville;

14 (54) a municipality that is the county seat of a county  
15 with a population of more than 900,000 that is adjacent to two  
16 counties, each of which has a population of more than 1.8 million;

17 (55) a municipality that hosts an annual wine festival  
18 and is located in three counties, each of which has a population of  
19 more than 900,000;

20 (56) a municipality that has a population of at least  
21 150,000 but less than 1,300,000 and is partially located in a county  
22 that contains a portion of Cedar Creek Reservoir;

23 (57) a municipality that is located in a county that  
24 contains a portion of Cedar Creek Reservoir and in which a private  
25 college is located;

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

(A) with a population of one million or more;

(B) in which all or part of a municipality with a population of one million or more is located; and

(C) that is located adjacent to a county with a population of 2.5 million or more;

(59) a municipality that is the county seat of a county that contains a portion of Cedar Creek Reservoir and borders a county with a population of more than 240,000;

(60) a municipality with a population of more than 80,000 but less than 150,000 that is located in a county with a population of more than 369,000 but less than 864,000 that contains part of an active duty United States Army installation;

(61) a municipality with a population of 750,000 or more that is located in a county with a population of 1.5 million or less;

(62) a municipality with a population of less than 7,000 that contains a country music hall of fame;

(63) a municipality with a population of 35,000 or more that contains a railroad museum and is located in a county that:

(A) has a population of 800,000 or more; and

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

(64) a municipality:

(A) that is the county seat of a county:

(i) with a population of 60,000 or less; and

(ii) that borders the Rio Grande; and

1 (B) in which is located a United States military  
2 fort listed in the National Register of Historic Places; and

3 (75) a municipality with a population of more than  
4 285,000 that is wholly located in two counties, each with a  
5 population of more than 900,000.

6 SECTION 3. Section 351.161(a), Tax Code, as added by  
7 Chapter 1030 (S.B. 627), Acts of the 88th Legislature, Regular  
8 Session, 2023, is amended to read as follows:

9 (a) This section applies only to a municipality described by  
10 Section 351.152(5) or (75).

11 SECTION 4. To the extent of any conflict, this Act prevails  
12 over another Act of the 89th Legislature, Regular Session, 2025,  
13 relating to nonsubstantive additions to and corrections in enacted  
14 codes.

15 SECTION 5. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2025.