

1-1 By: Morrison (Senate Sponsor - Kolkhorst) H.B. No. 1494  
1-2 (In the Senate - Received from the House May 5, 2017;  
1-3 May 8, 2017, read first time and referred to Committee on Natural  
1-4 Resources & Economic Development; May 18, 2017, reported favorably  
1-5 by the following vote: Yeas 7, Nays 2, 1 present not voting;  
1-6 May 18, 2017, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	Estes	X		
1-10	Zaffirini	X		
1-11	Burton			X
1-12	Garcia	X		
1-13	Hancock	X		
1-14	Hinojosa		X	
1-15	Huffines		X	
1-16	Miles	X		
1-17	Rodríguez	X		
1-18	Seliger	X		
1-19	Taylor of Collin		X	

1-20 A BILL TO BE ENTITLED  
1-21 AN ACT

1-22 relating to the use of municipal hotel occupancy tax revenue by  
1-23 certain municipalities.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter B, Chapter 351, Tax Code, is amended  
1-26 by adding Section 351.1075 to read as follows:

1-27 Sec. 351.1075. ALLOCATION OF REVENUE FOR THE ARTS BY  
1-28 CERTAIN MUNICIPALITIES. (a) This section applies only to a  
1-29 municipality:

1-30 (1) a portion of which is designated as a cultural arts  
1-31 district; and

1-32 (2) that is the county seat of a county:

1-33 (A) described by Section 352.002(a)(6);

1-34 (B) with a population of less than 50,000; and

1-35 (C) that includes a state park and a national  
1-36 wildlife refuge.

1-37 (b) Notwithstanding any other provision of this chapter and  
1-38 subject to Subsection (c)(1), a municipality to which this section  
1-39 applies may use not more than 30 percent of the revenue derived from  
1-40 the municipal hotel occupancy tax for the purposes provided by  
1-41 Section 351.101(a)(4).

1-42 (c) A municipality to which this section applies that spends  
1-43 more than 15 percent of the hotel occupancy tax revenue collected by  
1-44 the municipality in a fiscal year for the purposes provided by  
1-45 Section 351.101(a)(4):

1-46 (1) may not in that fiscal year reduce the percentage  
1-47 of hotel occupancy tax revenue that the municipality spends for the  
1-48 purposes described by Section 351.101(a)(3) to a percentage that is  
1-49 less than the average percentage of hotel occupancy tax revenue  
1-50 spent by the municipality for those purposes during the 36-month  
1-51 period preceding that fiscal year; and

1-52 (2) shall determine for that fiscal year:

1-53 (A) the increase in the amount of hotel revenue  
1-54 that is attributable to that expenditure; and

1-55 (B) the total amount of hotel occupancy tax  
1-56 revenue spent by the municipality for the purposes provided by  
1-57 Section 351.101(a)(4).

1-58 (d) If the amount of money determined under Subsection  
1-59 (c)(2)(A) is less than the amount of money determined under  
1-60 Subsection (c)(2)(B), the municipality shall reimburse the  
1-61 municipality's hotel occupancy tax revenue fund from the

2-1 municipality's general fund an amount equal to 50 percent of the  
2-2 difference between those determined amounts.

2-3 SECTION 2. This Act takes effect immediately if it receives  
2-4 a vote of two-thirds of all the members elected to each house, as  
2-5 provided by Section 39, Article III, Texas Constitution. If this  
2-6 Act does not receive the vote necessary for immediate effect, this  
2-7 Act takes effect September 1, 2017.

2-8 \* \* \* \* \*