

1-1 By: Stucky (Senate Sponsor - Estes) H.B. No. 2445  
 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 8, Nays 2, 1 present not voting;  
 1-6 May 18, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11				X
1-12	X			
1-13	X			
1-14	X			
1-15		X		
1-16	X			
1-17	X			
1-18	X			
1-19		X		

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

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

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

1-25 SECTION 1. Section 351.101(a), Tax Code, as amended by  
 1-26 Chapters 666 (H.B. 3772) and 979 (H.B. 3615), Acts of the 84th  
 1-27 Legislature, Regular Session, 2015, is reenacted and amended to  
 1-28 read as follows:

1-29 (a) Revenue from the municipal hotel occupancy tax may be  
 1-30 used only to promote tourism and the convention and hotel industry,  
 1-31 and that use is limited to the following:

1-32 (1) the acquisition of sites for and the construction,  
 1-33 improvement, enlarging, equipping, repairing, operation, and  
 1-34 maintenance of convention center facilities or visitor information  
 1-35 centers, or both;

1-36 (2) the furnishing of facilities, personnel, and  
 1-37 materials for the registration of convention delegates or  
 1-38 registrants;

1-39 (3) advertising and conducting solicitations and  
 1-40 promotional programs to attract tourists and convention delegates  
 1-41 or registrants to the municipality or its vicinity;

1-42 (4) the encouragement, promotion, improvement, and  
 1-43 application of the arts, including instrumental and vocal music,  
 1-44 dance, drama, folk art, creative writing, architecture, design and  
 1-45 allied fields, painting, sculpture, photography, graphic and craft  
 1-46 arts, motion pictures, radio, television, tape and sound recording,  
 1-47 and other arts related to the presentation, performance, execution,  
 1-48 and exhibition of these major art forms;

1-49 (5) historical restoration and preservation projects  
 1-50 or activities or advertising and conducting solicitations and  
 1-51 promotional programs to encourage tourists and convention  
 1-52 delegates to visit preserved historic sites or museums:

1-53 (A) at or in the immediate vicinity of convention  
 1-54 center facilities or visitor information centers; or

1-55 (B) located elsewhere in the municipality or its  
 1-56 vicinity that would be frequented by tourists and convention  
 1-57 delegates;

1-58 (6) for a municipality located in a county with a  
 1-59 population of one million or less, expenses, including promotion  
 1-60 expenses, directly related to a sporting event in which the  
 1-61 majority of participants are tourists who substantially increase

2-1 economic activity at hotels and motels within the municipality or  
 2-2 its vicinity;  
 2-3 (7) subject to Section 351.1076, the promotion of  
 2-4 tourism by the enhancement and upgrading of existing sports  
 2-5 facilities or fields, including facilities or fields for baseball,  
 2-6 softball, soccer, flag football, and rodeos, if:  
 2-7 (A) the municipality owns the facilities or  
 2-8 fields;  
 2-9 (B) the municipality:  
 2-10 (i) has a population of 80,000 or more and  
 2-11 is located in a county that has a population of 350,000 or less;  
 2-12 (ii) has a population of at least 75,000 but  
 2-13 not more than 95,000 and is located in a county that has a  
 2-14 population of less than 200,000 but more than 160,000;  
 2-15 (iii) has a population of at least 36,000  
 2-16 but not more than 39,000 and is located in a county that has a  
 2-17 population of 100,000 or less that is not adjacent to a county with  
 2-18 a population of more than two million;  
 2-19 (iv) has a population of at least 13,000 but  
 2-20 less than 39,000 and is located in a county that has a population of  
 2-21 at least 200,000;  
 2-22 (v) has a population of at least 70,000 but  
 2-23 less than 90,000 and no part of which is located in a county with a  
 2-24 population greater than 150,000;  
 2-25 (vi) is located in a county that:  
 2-26 (a) is adjacent to the Texas-Mexico  
 2-27 border;  
 2-28 (b) has a population of at least  
 2-29 500,000; and  
 2-30 (c) does not have a municipality with  
 2-31 a population greater than 500,000;  
 2-32 (vii) has a population of at least 25,000  
 2-33 but not more than 26,000 and is located in a county that has a  
 2-34 population of 90,000 or less;  
 2-35 (viii) [~~(ix)~~] is located in a county that  
 2-36 has a population of not more than 300,000 and in which a component  
 2-37 university of the University of Houston System is located; [~~or~~]  
 2-38 (ix) [~~(x)~~] has a population of at least  
 2-39 40,000 and the San Marcos River flows through the municipality; or  
 2-40 (x) contains an intersection of Interstates  
 2-41 35E and 35W and at least two public universities; and  
 2-42 (C) the sports facilities and fields have been  
 2-43 used, in the preceding calendar year, a combined total of more than  
 2-44 10 times for district, state, regional, or national sports  
 2-45 tournaments;  
 2-46 (8) for a municipality with a population of at least  
 2-47 70,000 but less than 90,000, no part of which is located in a county  
 2-48 with a population greater than 150,000, the construction,  
 2-49 improvement, enlarging, equipping, repairing, operation, and  
 2-50 maintenance of a coliseum or multiuse facility;  
 2-51 (9) signage directing the public to sights and  
 2-52 attractions that are visited frequently by hotel guests in the  
 2-53 municipality;  
 2-54 (10) the construction, improvement, enlarging,  
 2-55 equipping, repairing, operation, and maintenance of a coliseum or  
 2-56 multiuse facility, if the municipality:  
 2-57 (A) has a population of at least 90,000 but less  
 2-58 than 120,000; and  
 2-59 (B) is located in two counties, at least one of  
 2-60 which contains the headwaters of the San Gabriel River; and  
 2-61 (11) for a municipality with a population of more than  
 2-62 175,000 but less than 225,000 that is located in two counties, each  
 2-63 of which has a population of less than 200,000, the construction,  
 2-64 improvement, enlarging, equipping, repairing, operation, and  
 2-65 maintenance of a coliseum or multiuse facility and related  
 2-66 infrastructure or a venue, as defined by Section 334.001(4), Local  
 2-67 Government Code, that is related to the promotion of tourism.  
 2-68 SECTION 2. To the extent of any conflict, this Act controls  
 2-69 over another Act of the 85th Legislature, Regular Session, 2017,

3-1 relating to nonsubstantive additions to and corrections in enacted  
3-2 codes.

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

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