

BILL ANALYSIS

Senate Research Center
82R17514 CJC-D

H.B. 1234
By: Miller, Doug (Wentworth)
Economic Development
5/17/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Certain Central Texas counties are authorized by law to collect a county hotel occupancy tax and have been collecting the tax for several years under statutory authority. Revenue from the county hotel occupancy tax has been instrumental in the promotion of tourism in those counties, and tourism continues to be a tremendous boost to the local economies. That statutory authorization, however, was based in part on certain county characteristics, including population, and the new Census figures show that the original population parameters no longer apply. Because those counties no longer meet some of the requirements on which their authorization to impose a county hotel occupancy tax was based, they cannot continue collecting the tax without a revision of that statutory authority. H.B. 1234 seeks to address the need for appropriate statutory authority for those counties to continue collecting the county hotel occupancy tax.

H.B. 1234 amends current law relating to the authority of certain counties to impose a county hotel occupancy tax.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 352.002, Tax Code, by amending Subsection (a) and adding Subsection (l), as follows:

(a) Authorizes the commissioners court of certain counties, including a county through which the Pedernales River flows and in which the birthplace of a president of the United States is located, by the adoption of an order or resolution to impose a tax on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs \$2 or more each day, and is ordinarily used for sleeping. Deletes existing text relating to a county that has a population of less than 22,000 and in which the birthplace of a president of the United States is located.

(l) Authorizes the commissioners court of a county through which the Guadalupe River flows and in which the source of the Blanco River is located to impose a tax as provided by Subsection (a). Provides that a tax imposed under this subsection does not apply to a hotel located in a municipality that imposes a tax under Chapter 351 (Municipal Hotel Occupancy Taxes) applicable to the hotel.

SECTION 2. Effective date: upon passage or September 1, 2011.