SECTION 1. Sections 436.103(e) and (f), Health and Safety Code, are amended to read as follows:

(e) Before any other disposition of the fees and penalties collected under this section is made, two percent of the amount of the fees and penalties shall be deposited in the state treasury for appropriation for the use of the comptroller in the administration and enforcement of this section. The remainder of the fees and penalties collected under this section shall be deposited to the credit of the oyster sales account in the general revenue fund to be allocated each year for oyster-related activities, including:

1. collecting bay water and shellfish meat samples;
2. contracting for sample analysis for classification and opening or closing of oyster harvesting areas;
3. marking the boundaries of areas that are designated open or closed under this subchapter;
4. studying oyster diseases and other concerns affecting the availability of oysters for harvest;
5. studying and analyzing organisms that may be associated with human illness and that can be transmitted through the consumption of oysters;
6. contributing to the support of the oyster shell recovery and replacement program created under Section 76.020, Parks and Wildlife Code [promotion and advertising of the Texas oyster industry, including information, education, and training to consumers on safe and proper handling of oysters]; and
7. other oyster-related activities authorized or required by this chapter.

(f) After deducting the amount deposited into the state treasury for the comptroller's use under Subsection (e), the comptroller at the beginning of each state fiscal year shall allocate $100,000 of the unencumbered balance deposited to the credit of the oyster sales account in the general revenue fund to Texas A&M University at Galveston for use in performing the activities described by Subsection (e)(5). The remainder of the money in the oyster sales account may [shall first] be allocated only for the purposes described by Subsection (e) [allocated for funding the public health activities of bay water and shellfish meat sample collection and analysis and wholesale, retail, and consumer education before money is allocated for research or promotion].

SECTION 2. Subchapter A, Chapter 47, Agriculture Code, is repealed, and the oyster advisory committee established under Section 47.002, Agriculture Code, is abolished on the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2013.

Passed by the House on May 4, 2013: Yeas 133, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 966

H.B. No. 1908

AN ACT

relating to sports and community venue projects.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 334.001(4), Local Government Code, is amended to read as follows:

(4) "Venue" means:

(A) an arena, coliseum, stadium, or other type of area or facility:
that is used or is planned for use for one or more professional or amateur sports events, community events, or other sports events, including rodeos, livestock shows, agricultural expositions, promotional events, and other civic or charitable events; and

(ii) for which a fee for admission to the events is charged or is planned to be charged;

(B) a convention center, convention center facility as defined by Section 351.001(2) or 352.001(2), Tax Code, or related improvement such as a [convention center, civic center, civic center building,] civic center hotel, [auditorium,] theater, opera house, music hall, [exhibition hall,] rehearsal hall, park, zoological park, museum, aquarium, or plaza located in the vicinity of a convention center or facility owned by a municipality or a county;

(C) a tourist development area along an inland waterway;

(D) a municipal parks and recreation system, or improvements or additions to a parks and recreation system, or an area or facility that is part of a municipal parks and recreation system;

(E) a project authorized by Section 4A or 4B, Development Corporation Act of 1979 (Article 5190.6, Vernon’s Texas Civil Statutes), as that Act existed on September 1, 1997; and

(F) a watershed protection and preservation project; a recharge, recharge area, or recharge feature protection project; a conservation easement; or an open-space preservation program intended to protect water.

SECTION 2. Section 334.024, Local Government Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) If the proposition is authorizing the imposition of a hotel occupancy tax under Subchapter H, the ballot must include the following language: “If approved, the maximum hotel occupancy tax rate imposed from all sources in ______ (insert name of municipality or county) would be ______ (insert the maximum combined hotel occupancy tax rate that would be imposed from all sources at any location in the municipality or county, as applicable, if the rate proposed in the ballot proposition is adopted) of the price paid for a room in a hotel.”

SECTION 3. Section 334.254, Local Government Code, is amended to read as follows:

(a) Except as provided by Subsections [Subsection] (c) and (d), the tax authorized by this subchapter may be imposed by a municipality or county at any rate not to exceed two percent of the price paid for a room in a hotel.

(b) The ballot proposition at the election held to adopt the tax must specify:

(1) the maximum rate of the tax to be adopted; and

(2) the maximum combined hotel occupancy tax rate that would be imposed from all sources at any location in the municipality or county, as applicable, if the rate proposed in the ballot proposition is adopted.

(c) Except as provided by Subsection (d), a [A] county with a population of more than two million that is adjacent to a county with a population of more than one million may impose the tax authorized by this subchapter at any rate not to exceed three percent of the price paid for a room in a hotel.

(d) A municipality or county may not propose a hotel occupancy tax rate that would cause the combined hotel occupancy tax rate imposed from all sources at any location in the municipality or county, as applicable, to exceed 17 percent of the price paid for a room in a hotel. The following are not included in calculating the combined tax rate under this subsection:

(1) an assessment for an improvement project described by Section 372.0035;

(2) an assessment authorized by Chapter 375; or

(3) a fee collected by a hotel to recover the cost of an assessment described by Subdivision (1) or (2).

SECTION 4. Section 334.255(b), Local Government Code, is amended to read as follows:
(b) The ballot for an election to increase the rate of the tax shall be printed to permit voting for or against the proposition: "The increase of the hotel occupancy tax for the purpose of financing __________ (insert description of venue project) to a maximum rate of __________ percent (insert new maximum applicable rate). If approved, the maximum hotel occupancy tax rate imposed from all sources in ______ (insert name of municipality or county) would be __________ (insert the maximum combined hotel occupancy tax rate that would be imposed from all sources at any location in the municipality or county, as applicable, if the rate proposed in the ballot proposition is adopted) of the price paid for a room in a hotel."

SECTION 5. Section 335.054, Local Government Code, is amended by adding Subsection (d-1) to read as follows:
(d-1) If the proposition is authorizing the imposition of a hotel occupancy tax, the ballot must include the following language: "If approved, the maximum hotel occupancy tax rate imposed from all sources in ______ (insert name of district) would be __________ (insert the maximum combined hotel occupancy tax rate that would be imposed from all sources at any location in the district if the rate proposed in the ballot proposition is adopted) of the price paid for a room in a hotel."

SECTION 6. (a) The change in law made by this Act to Section 334.001, Local Government Code, applies only to a venue project authorized on or after the effective date of this Act. A venue project authorized before the effective date of this Act is governed by the law in effect when the venue project was authorized, and the former law is continued in effect for that purpose.
(b) The changes in law made by this Act to Sections 334.024, 334.254(b), 334.255, and 335.054, Local Government Code, apply only to an election held on or after the effective date of this Act. An election held before the effective date of this Act is governed by the law in effect when the election was held, and the former law is continued in effect for that purpose.
(c) Section 334.254(d), Local Government Code, as added by this Act, does not apply to a hotel occupancy tax proposed and authorized by an election held before the effective date of this Act. A hotel occupancy tax proposed and authorized by an election held before the effective date of this Act is governed by the law in effect when the election was held, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect September 1, 2013.

Passed by the House on May 7, 2013: Yeas 135, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2013: Yeas 31, Nays 0.
Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 967
H.B. No. 1913

AN ACT
relating to the waiver of penalties and interest on certain delinquent ad valorem taxes.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 33.011, Tax Code, is amended by amending Subsection (d) and adding Subsections (i) and (j) to read as follows:
(d) A request for a waiver of penalties and interest under Subsection (a)(1) or (3), (b), (or) (h), or (j) must be made before the 181st day after the delinquency date. A request for a waiver of penalties and interest under Subsection (a)(2) must be made before the first anniversary of the date the religious organization acquires the property. A request for a waiver of penalties and interest under Subsection (i) must be made before the 181st day after the date the property owner making the request receives notice of the delinquent tax that satisfies the requirements of Section 33.014(b). To be valid, a waiver of penalties or interest