CHAPTER 490

S.B. No. 1719

AN ACT

relating to the construction, remodeling, or rehabilitation of certain hotel projects.

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

SECTION 1. Subdivision (8), Section 2303.003, Government Code, is amended to read as follows:

(8) "Qualified hotel project" means:

(A) a hotel proposed to be constructed by a municipality or a nonprofit municipally sponsored local government corporation created under the Texas Transportation Corporation Act, Chapter 431, Transportation Code, that is within 1,000 feet of a convention center owned by a municipality having a population of 1,500,000 or more, including shops, parking facilities, and any other facilities ancillary to the hotel; and

(B) a hotel proposed to be constructed, remodeled or rehabilitated by a municipality or a nonprofit municipally sponsored local government corporation created under the Texas Transportation Corporation Act, Chapter 431, Transportation Code, that is within 3,000 feet of the property line of a convention center owned by a municipality having a population of more than 500,000 and that borders the United Mexican States.

SECTION 2. Subsection (b), Section 2303.5055, Government Code, is amended to read as follows:

(b) A municipality with a population of 1,500,000 or more or a municipality having a population of more than 500,000 and that borders the United Mexican States may agree to guarantee from hotel occupancy taxes the bonds or other obligations of a municipally sponsored local government corporation created under the Texas Transportation Corporation Act, Chapter 431, Transportation Code, [Article 15281, Vernon’s Texas Civil Statutes] that were issued or incurred to pay the cost of construction, remodeling, or rehabilitation of a qualified hotel project.

SECTION 3. Subsection (h), Section 151.429, Tax Code, is amended to read as follows:

(h) This subsection does not apply to a qualified hotel project described by Section 2303.003(8)(B), Government Code. Notwithstanding the other provisions of this section, the owner of a qualified hotel project shall receive a rebate, refund, or payment of 100 percent of the sales and use taxes paid or collected by the qualified hotel project or businesses located in the qualified hotel project pursuant to this chapter and 100 percent of the hotel occupancy taxes paid by persons for the use or possession of or for the right to the use or possession of a room or space at the qualified hotel project pursuant to the provisions of Chapter 156 during the first 10 years after such qualified hotel project is open for initial occupancy. The comptroller shall deposit the taxes in trust in a separate suspense account of the qualified hotel project. A suspense account is outside the state treasury, and the comptroller may make a rebate, refund, or payment authorized by this section without the necessity of an appropriation. The comptroller shall rebate, refund, or pay to each qualified hotel project eligible taxable proceeds to which the project is entitled under this section at least monthly.

SECTION 4. Subdivision (2), Section 351.001, Tax Code, is amended to read as follows:

(2) "Convention center facilities" or "convention center complex" means facilities that are primarily used to host conventions and meetings. The term means civic centers, civic center buildings, auditoriums, exhibition halls, and coliseums that are owned by the municipality or other governmental entity or that are managed in whole or part by the
municipality. In a municipality with a population of 1.5 million or more, “convention center
facilities” or “convention center complex” means civic centers, civic center buildings,
auditoriums, exhibition halls, and coliseums that are owned by the municipality or other
governmental entity or that are managed in part by the municipality, hotels owned by the
municipality or a nonprofit municipally sponsored local government corporation created
under Chapter 431, Transportation Code, within 1,000 feet of a convention center owned by
the municipality, or a historic hotel owned by the municipality or a nonprofit municipally
supported local government corporation created under Chapter 431, Transportation Code,
within one mile of a convention center owned by the municipality. The term includes
parking areas or facilities that are for the parking or storage of conveyances and that are
located at or in the vicinity of other convention center facilities. The term also includes a
hotel owned by or located on land that is owned by an eligible central municipality or by a
nonprofit corporation acting on behalf of an eligible central municipality and that is located
within 1,000 feet of a convention center facility owned by the municipality. The term also
includes a hotel proposed to be constructed, remodeled, or rehabilitated by a municipality
or a nonprofit municipally sponsored local government corporation created under Chapter
431, Transportation Code, that is within 3,000 feet of the property line of a convention
center owned by a municipality having a population of more than 500,000 and that
borders the United Mexican States.

SECTION 5. Subsection (a), Section 351.102, Tax Code, is amended to read as follows:
(a) Subject to the limitations provided by this subsection, a municipality may pledge the
revenue derived from the tax imposed under this chapter for the payment of bonds that are
issued under Section 1504.002(a), Government Code, for one or more of the purposes provided
by Section 351.101 or, in the case of a municipality of 1,500,000 or more
or a municipality
having a population of more than 500,000 and that borders the United Mexican States, for
the payment of principal of or interest on bonds or other obligations of a municipally
supported local government corporation created under Chapter 431, Transportation Code,
that were issued to pay the cost of the acquisition and construction of a convention center
hotel or the cost of acquisition, remodeling, or rehabilitation of a historic hotel structure;
provided, however, such pledge may only be that portion of the tax collected at such hotel.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the
members elected to each house, as provided by Section 39, Article III, Texas Constitution. If
this Act does not receive the vote necessary for immediate effect, this Act takes effect
September 1, 2013.

Passed the Senate on April 29, 2013: Yeas 31, Nays 0; passed the House on May 17,
2013: Yeas 138, Nays 3, three present not voting.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 491
S.B. No. 1792

AN ACT
relating to remedies for nonpayment of tolls for the use of toll projects; authorizing a fee; creating an
offense.

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

SECTION 1. Chapter 372, Transportation Code, is amended by adding Subchapter C to
read as follows:

SUBCHAPTER C. NONPAYMENT OF TOLLS; REMEDIES
Sec. 372.101. APPLICABILITY. This subchapter does not apply to a county acting
under Chapter 284.