

## **BILL ANALYSIS**

Senate Research Center

H.B. 1524  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, municipalities are authorized to derive revenue from sales and use taxes to construct, operate, maintain, or renovate municipal parks. County parks are not included in this definition. Additionally, a municipality or county whose voters have approved a sales and use tax with the proceeds designated for construction of a community facility are authorized to subsequently determine that funds are needed for improvements and maintenance.

H.B. 1524 authorizes a county located on an international border that has a population of less than 15,000 and contains no incorporated territory of a municipality to develop county parks and recreation systems under the definition of venue projects. This bill also authorizes the governing body of a municipality or county to order an election for the purpose of re-assigning a portion of the tax proceeds. This bill requires the original method of taxation and rate of taxation to remain the same.

### **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 Subchapter A, Chapter 334, Local Government Code, by adding Section 334.008, as follows:

Sec. 334.008. PARKS AND RECREATION SYSTEM AS VENUE PROJECT: CERTAIN COUNTIES. (a) Authorizes a county located on an international border that has a population of less than 15,000 and that contains no incorporated territory of a municipality to provide for the planning, acquisition, establishment, development, construction, or renovation of a county parks and recreation system as a venue project under this chapter.

(b) Provides that the venue project authorized by Subsection (a) includes improvements or additions to the county parks and recreation system and an area or facility that is part of the county parks and recreation system.

(c) Provides that to the extent that a provision of this chapter (Sports and Community Venues), including Sections 334.024(f) (relating to an election regarding the financing of a venue project), 334.1015 (Application), and 334.2515 (Application), applies to a venue project that is a municipal parks and recreation system or facility, those provisions apply to a venue project authorized by this section, and references to a municipality are considered references to a county to which this section applies.

(d) Provides that a county that authorizes a venue project described by this section maintains the authority granted under this section even if at a later time a part of the county becomes incorporated in a municipality.

SECTION 2. Amends Subchapter B, Chapter 334, Local Government Code, by adding Section 334.0242, as follows:

Sec. 334.0242. ELECTION ON USE OF TAXES TO IMPROVE OR MAINTAIN VENUE PROJECT. (a) Authorizes the governing body of the municipality or county that imposed one or more methods of financing that have been approved at an election held under Section 334.024 (Election), to order an election on the question of approving the use of revenue derived from one or more approved methods to finance a related venue project, except as provided by Subsection (e).

(b) Requires the ballot at the election held under this section to be printed to permit voting for or against the proposition. Sets forth the language of the ballot.

(c) Authorizes the municipality or county to use the revenue to finance the related venue project described in the proposition if a majority of the votes cast at an election held under this section approve the proposition.

(d) Prohibits the municipality or county from changing the rate of the tax or method of financing previously authorized under Section 334.024 at an election held under this section.

(e) Provides that this section does not authorize the municipality or county to use revenue from a hotel occupancy tax under Subchapter H (Hotel Occupancy Taxes).

SECTION 3. Effective date: upon passage or September 1, 2007.