

BILL ANALYSIS

Senate Research Center
86R12411 SRA-D

S.B. 1319
By: Birdwell; Watson
Natural Resources & Economic Development
4/1/2019
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, municipalities that levy a hotel occupancy tax are required to annually report certain information about that the collection and use of that tax to the Office of the Comptroller of Public Accounts of the State of Texas. No such requirement exists for counties. In an effort to continue to increase transparency around the hotel occupancy tax, S.B. 1319 would require counties that levy the hotel occupancy tax to submit very similar information annually to the comptroller's office.

S.B. 1319 would amend Chapter 352, Tax Code, by adding Section 352.009. This new section would require counties that levy a hotel occupancy tax to submit information annually to the Comptroller indicating: (1) the rate of the hotel occupancy tax imposed by that county (2 percent, 3 percent, 4 percent, etc.); (2) the dollar amount of revenue collected during the preceding fiscal year from the hotel occupancy tax imposed by that county; (3) whether or not the county levies a sports and community venue tax and at what rate; and (4) the dollar amount of revenue collected during the preceding fiscal year from the sports and community venue tax imposed by that county. The county would be required to either submit the requested information to the comptroller of public accounts of the State of Texas (comptroller) on a form provided by the comptroller, or provide the comptroller a direct link to, or detailed information describing the location of, the information on the county's internet website.

By requiring counties to mirror the reporting requirements imposed on municipalities that impose the hotel occupancy tax, greater transparency in the tax's collection and use could be established for state and local taxpayers.

As proposed, S.B. 1319 amends current law relating to an annual report submitted to the comptroller by a county that imposes certain hotel occupancy taxes.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the comptroller of public accounts of the State of Texas in SECTION 1 (Section 352.009, Tax Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 352, Tax Code, by adding Section 352.009, as follows:

Sec. 352.009. ANNUAL REPORT TO COMPTROLLER. (a) Requires a county that imposes the tax authorized by this chapter (County Hotel Occupancy Taxes), not later than February 20 of each year, to report to the comptroller of public accounts of the State of Texas (comptroller) certain information.

(b) Requires the county to make the report required by this section by:

(1) submitting the report to the comptroller on a form prescribed by the comptroller; or

(2) providing the comptroller a direct link to, or a clear statement describing the location of, the information required to be reported that is posted on the Internet website of the county.

(c) Requires the comptroller, subject to Subsection (b)(2), to prescribe the form a county is required to use for the report required to be submitted under this section.

(d) Authorizes the comptroller to adopt rules necessary to administer this section.

SECTION 2. Requires the comptroller, as soon as practicable, but not later than January 1, 2020, to prescribe the form required by Section 352.009(c), Tax Code, as added by this Act.

SECTION 3. Requires a county to submit the initial report or otherwise provide the initial information required by Section 352.009, Tax Code, as added by this Act, not later than February 20, 2020.

SECTION 4. Effective date: upon passage or September 1, 2019.