

CHAPTER 200

H.B. No. 1551

AN ACT

relating to the hotel occupancy tax imposed by certain cities.

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

SECTION 1. Subsections (b) and (c), Section 3g, Chapter 63, Acts of the 59th Legislature, Regular Session, 1965 (Article 1269j-4.1, Vernon's Texas Civil Statutes), as added by Chapter 879, Acts of the 68th Legislature, Regular Session, 1983, are amended to read as follows:

(b) The city is not authorized to levy the taxes authorized by Section 3a of this Act, but instead may levy by ordinance on the cost of occupancy of any sleeping room

furnished by any hotel, in which the cost of occupancy is \$2 or more a day, a tax not to exceed *seven* [~~five~~] percent of the consideration paid by the occupant of the sleeping room to the hotel.

(c) If the city levies and collects a tax in excess of four percent under the provisions of this section, it shall reserve that portion of the tax revenues which are derived from the percentage of the tax in excess of four percent solely for the following purposes:

(1) no more than 55 [~~65~~] percent to:

(A) constructing, improving, enlarging, equipping, and repairing the Convention Center Complex; or

(B) pledging payment of revenue bonds and revenue refunding bonds issued pursuant to this Act for the Convention Center Complex;

(2) at least 45 [~~35~~] percent to advertising and conducting solicitation programs to acquaint potential users with public meeting and convention facilities and promoting tourism and advertising of the city either by the city or through contract with persons or organizations selected by the city.

SECTION 2. Section 3g, Chapter 63, Acts of the 59th Legislature, Regular Session, 1965 (Article 1269j-4.1, Vernon's Texas Civil Statutes), as added by Chapter 1009, Acts of the 68th Legislature, Regular Session, 1983, is redesignated as Section 3h to read as follows:

Sec. 3h [~~3g~~]. In addition to other remedies provided by law or by city ordinance for the collection of a tax imposed under this Act, the city attorney, or other attorney acting for the city attorney, may bring suit against a person who is required to collect the tax imposed by this Act and pay the collections over to the city and who has failed to file a report or pay the tax when it is due to enjoin the person from operating a hotel in the city until the tax is paid or the report is filed or both, as applicable and as provided in the injunction.

SECTION 3. This Act takes effect September 1, 1987.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 30, 1987, by a non-record vote. Passed by the Senate on May 14, 1987, by a viva-voce vote.

Approved May 27, 1987.

Effective Sept. 1, 1987.