

RESOLUTION NO. 1013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, URGING THE STATE LEGISLATURE TO PASS A BILL ALLOWING CITIES WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES TO BE INCLUDED IN THE STATE LAW DEFINITION OF 'SMALL CITIES WITH COLLEGE BRACKET'.

WHEREAS, the Hotel Occupancy Tax (HOT) was introduced in 1959; and

WHEREAS, the State Legislature has enacted a series of updates and brackets establishing different tax rate maximums and different rules for a variety of classifications of cities; and

WHEREAS, there exists a bracket of communities commonly referred to as the small cities with colleges bracket which are allowed a 9% maximum rate; and

WHEREAS, the definition of colleges in the current state HOT legislation inadvertently excludes certain Historically Black Colleges and Universities. This means that Terrell and Southwestern Christian College, which would otherwise qualify, are treated differently under State Law than comparable small cities with colleges.

WHEREAS, The passage of the proposed bill would give the four cities in Texas – Terrell, Prairie View, Hawkins, and Marshall – the option to increase their taxes to support cooperative tourism programs and college visitation, thereby increasing equity between all small cities with colleges of a variety of types; and

WHEREAS, the tax rate increase would be paid exclusively by those staying in hotels of the affected cities; and

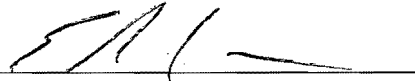
WHEREAS, the Terrell City Council finds that the Policy for Hotel Occupancy Taxes for Historically Black Colleges and Universities attached hereto (Exhibit "A") is in the best interest of the citizens, property owners, businesses and visitors of the City of Terrell.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

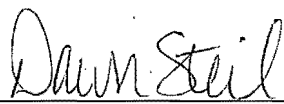
Section 1. The Terrell City Council hereby adopts Exhibit "A" attached hereto as the official policy that shall govern the approval, execution, qualification and payment of City funds expended for Public Art.

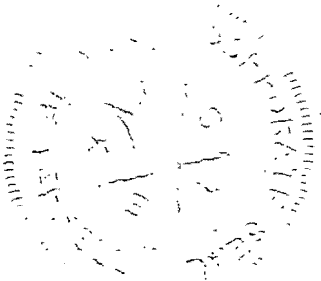
Section 2. That this Resolution shall take effect immediately from and after its passage.

PASSED and ADOPTED by the City Council of the City of Terrell this 9th day of February, 2021.


Rick Carmona, Mayor

Attest:


Dawn Steil, City Secretary



A BILL TO BE ENTITLED

AN ACT

option 1

relating to the municipal hotel occupancy tax.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 351.001(7), Tax Code, is amended to read as follows:

(7) "Eligible central municipality" means:

(A) a municipality with a population of more than 140,000 but less than 1.5 million that is located in a county with a population of one million or more and that has adopted a capital improvement plan for the construction or expansion of a convention center facility;

(B) a municipality with a population of 250,000 or more that:

(i) is located wholly or partly on a barrier island that borders the Gulf of Mexico;

(ii) is located in a county with a population of 300,000 or more; and

(iii) has adopted a capital improvement plan to expand an existing convention center facility;

(C) a municipality with a population of 116,000 or more that:

(i) is located in two counties both of which have a population of 660,000 or more; and

(ii) has adopted a capital improvement plan for the construction or expansion of a convention center facility;

(D) a municipality with a population of less than 50,000 that contains (i) a general academic teaching institution that is not a component institution of a university system, as those terms are defined by Section 61.003, Education Code; or (ii) an accredited institution identified by the U.S. Department of Education as one of the Historically Black Colleges and Universities in the State of Texas; or

(E) a municipality with a population of 640,000 or more that:

(i) is located on an international border;
and

(ii) has adopted a capital improvement plan for the construction or expansion of a convention center facility.

SECTION 2. 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, 2021.