

AGENDA

**Irving Convention and Visitors Bureau Board of Directors
Board and Business Development Committee
Friday, June 11, 2021 – 9:00 a.m.
Irving Convention Center - First Floor Boardroom
500 W. Las Colinas Blvd.
Irving, Texas 75039**

NOTE: A possible quorum of the Irving Convention and Visitors Bureau Board of Directors may be present at this committee meeting.

1. Citizen Comments on Items Listed on the Agenda
2. Board Applicant Recruitment Process and Formalizing Board Officer Nomination Process
3. Update on 2021 Texas Legislative Session
4. Strategic Plan Update - tentatively July 29 (2-5) and July 30 (9-4)
5. Related Party Transaction Policy for Irving Convention Center
6. Formalizing the Irving Convention Center Bad Debt Policy
7. Board Portal Update
8. Approval of March 12, 2021 Meeting Minutes
9. Committee Chair Report
10. Next meeting September 10, 2021

CERTIFICATION

I, the undersigned authority, do hereby certify that this notice of meeting was posted on the kiosk at City Hall of the City of Irving, Texas, a place readily accessible to the general public at all times, and said notice was posted by the following date and time:

_____ at _____ and remained so posted at least 72 hours before said meeting convened.

Deputy Clerk, City Secretary's Office

This meeting can be adjourned and reconvened, if necessary, the following regular business day.

Any item on this posted agenda could be discussed in executive session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and section 551.087 of the Texas Government Code.

A member of the public may address the governing body regarding an item on the agenda either before or during the body's consideration of the item, upon being recognized by the presiding officer or the consent of the body.

This facility is physically accessible and parking spaces for the disabled are available. Accommodations for people with disabilities are available upon request. Requests for accommodations must be made 48 hours prior to the meeting. Contact the City Secretary's Office at 972-721-2493 or Relay Texas at 7-1-1 or 1-800-735-2988.

DRAFT
Irving Convention and Visitors Bureau
Board Officer Nominating Process

Chair creates 3-person task force to oversee process

- Would include the Board Chair, Board Vice-Chair and Board and Business Development Committee Chair
 - Board and Business Development Committee Vice-Chair may step in if the Board and Business Development Committee Chair is seeking one of the positions being discussed.
- Will not be required to post the meetings so long as the task force remains less than a quorum of voting board members
- Task force meetings will be of the task force members only, with staff there to provide support as needed.
- Task force discussion of prospective candidates may not be held in Executive Session.
- Task force is disbanded once its work of providing a slate is complete.

June

- Board Chair assigns Task Force
- Board and Business Development Committee meets:
 - Reviews/approves the Board Chair and Vice Chair Job Descriptions and Expectations.
 - Establish the “how to” for interested candidates to submit.

July

- Call for interest from board members at the July board meeting with a deadline to submit and detailed direction on how to submit (i.e., via email to whose attention.)

August

- Task force meets and works through vetting process

September

- Task force brings recommended slate to Committee for review
- Committee meeting on September 10 and approves slate or makes other recommendations

November

- Committee brings slate to board meeting for board action.

General Notes from discussion

- This is not allowed to be discussed in Executive Session.

DRAFT
Irving Convention and Visitors Bureau
Duties and Responsibilities of Board Chair

The Board Chair will support the work of the Irving Convention and Visitors Bureau (ICVB) and provide leadership and strategic governance. While day-to-day operations are led by the ICVB Executive Director, the Board Chair is critical to providing guidance and appropriate involvement is expected.

Essential Duties, responsibilities and oversight

- Preside at all Board and Executive Committee Meetings.
- Represent ICVB to external stakeholders, maintain a high profile in the community, acting as an ambassador for the organization (examples: Chamber Board Meeting/functions, City Council Work Sessions/Meetings).
- Partner with the Executive Director and other board members to ensure that board resolutions are carried out.
- Review board agenda with Executive Director and Vice Chair prior to Executive Committee Meeting.
- Review outcomes and metrics created by ICVB for evaluating its impact, and regularly measuring its performance and effectiveness using those metrics.
- With the board, approve ICVB's annual budget, audit reports, accept financial reports, approve material business decisions or significant budget adjustments; being informed of, and meeting all, legal and fiduciary responsibilities.
- Appoints board members to committees and assigns committee chairs and vice chairs.
- Appoint Task Force for officer nomination process.
- Appoint any other Task Forces that maybe needed.
- Review and approve the Executive Director's expense reports.
- Contribute to an annual performance evaluation of the Executive Director.
- Participate in board orientation.
- Serve as a trusted advisor to the Executive Director as the ICVB's strategic plan is implemented.
- Serve on committees.
- Cultivate relationships with elected officials at the federal, state and local level, including local city management.
- Ensure board members remain responsible for their own assignments and responsibilities as it relates to Committee meetings, strategic plan initiatives, etc.
- Hold board members accountable for their own individual performance as board members, including attendance concerns, active participation, etc.
- Access email daily and respond to staff in a timely manner.
- Sign various City documents as needed, i.e., Administrative Awards, etc.

Knowledge, skills and abilities

- Extensive professional experience with significant executive leadership accomplishments in the business, government, philanthropy, or the nonprofit sector.
- Savvy diplomatic skills and a natural affinity for cultivating relationships and persuading, convening, facilitating, and building consensus among diverse individuals.
- Approachable, an objective leader and an active listener.
- Knowledgeable about ICVB, City of Irving and community organizations.

Board terms/participation

- ICVB's Board Officers will serve a One-year term, unless elected to a second year.
- Board Meetings and Executive Committee Meetings are held monthly.
- Each committee (Board and Business Development, Community Engagement and Destinations Development) meets quarterly.
- Task forces may be created and will meet at their own discretion with the Board Chair's participation pending, depending on the nature of the task force.

DRAFT
Irving Convention and Visitors Bureau
Duties and Responsibilities of Board Vice Chair

The Board Vice Chair will support the work of the Irving Convention and Visitors Bureau (ICVB) and provide leadership and strategic governance. While day-to-day operations are led by the ICVB Executive Director, the Board Vice Chair is critical to assisting the Chair in execution of his or her duties.

Essential duties, responsibilities and oversight

- Fulfills the board chair's duties when the presiding officer is absent or if that office becomes vacant, until a new chair is elected.
- Works closely with the board chair to transfer knowledge and history to prepare for leadership.
- Assists the board chair in the execution of his or her duties.
- Serves on committees to learn the operations of the board.
- May prepare to assume the office of the board chair.
- Offers support for board chair and other leadership when needed.
- The vice chair should stay up-to-date with the chair on board matters to ensure he or she knows enough about the current issues within the organization to be able to stand in at short notice.
- Review board agendas with Executive Director and Chair prior to Executive Committee Meeting.
- Contribute to an annual performance evaluation of the Executive Director.
- Serve on committees.
- In conjunction with the Chair, cultivate relationships with elected officials at the federal, state and local level, including local city management.

Knowledge, skills and abilities

- Extensive professional experience with significant executive leadership accomplishments in the business, government, philanthropy, or the nonprofit sector.
- Savvy diplomatic skills and a natural affinity for cultivating relationships and persuading, convening, facilitating, and building consensus among diverse individuals.
- Approachable and an objective leader who listener.
- Knowledgeable about ICVB, City of Irving and community organizations.

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From: [Erika Boyd](#)
To: [ron](#); [chuddleston](#); [Erika Boyd](#)
Subject: TTA Legislative Update 06/04/21 - 87th Legislative Session Wrap
Date: Friday, June 4, 2021 3:39:55 PM
Attachments:

Members – Below is the 87th Legislative Session wrap. Please reach out with questions. As I mentioned on the call, we will continue to work through the interim on a number of issues impacting the industry, monitor the Special Session calls for industry impact, and prepare for the Federal stimulus funds conversation in the Fall Special Session to advocate for industry relief.

Thank you for all you do and your support in our advocacy efforts on behalf of the industry!

Have a great weekend everyone.

-Erika

87th Legislative Session:

HB 5 by Ashby relating to the expansion of broadband services to certain areas. The COVID-19 pandemic has highlighted, more than ever, the critical importance of a robust broadband infrastructure network to maintaining basic quality of life. Remote learning, access to telemedicine, economic development, and other facets of life all hinge on the availability of quality high speed Internet. Hundreds of thousands of Texans are currently without access to quality broadband and this bill seeks to move Texas forward to bridging the digital divide. The bill would create the State Broadband. ***Sent to the Governor on May 31st.***

HB 19 by Leach relating to civil liability of a commercial motor vehicle owner or operator, including the effect that changes to that liability have on commercial automobile insurance. C.S.H.B. 19 amends the Civil Practice and Remedies Code to provide a framework for trial procedures, the use of evidence, and the determination of liability in certain civil actions involving commercial motor vehicles. ***Sent to the Governor on May 31st.***

HB 113 by Oliverson relating to peer-to-peer car sharing programs. The bill establishes insurance coverage requirements for peer-to-peer car sharing programs. ***Sent to the Governor on May 25th.***

HB 205 by Ortega relating to safety requirements for amusement ride operators. HB 205 seeks to strengthen the regulation of amusement rides by setting a minimum age requirement for an operator, requiring training and prohibiting an operator from operating an amusement ride while intoxicated. Was passed by the full House, but was never referred in the senate. ***Died in the Senate.***

HB 298 by Zwiener relating to regulation of outdoor lighting by certain municipalities; authorizing the imposition of a civil penalty. HB 298 amends the Local Government Code to authorize the governing body of a municipality that has received an International Dark Sky Community designation by ordinance to regulate the installation and use of outdoor lighting in the municipality and the municipality's extraterritorial jurisdiction. ***Died on the House Calendar.***

HB 361 by Sherman relating to a franchise tax credit for taxable entities that provide paid family care leave. The bill would provide for a taxable entity with an average of not more than 1,500 employees to qualify for a credit if it provides paid family care leave to an employee, according to a policy adopted by the taxable entity, under which an employee is entitled to at least four weeks of paid leave. HB 361 was left pending in the House Ways & Means Committee on April 14th. ***Died in House Ways & Means.***

HB 370 by Gervin-Hawkins relating to the implementation of certain rules regarding public school accountability adopted by the commissioner of education or the Texas Education Agency. The bill amends the Education Code to authorize the delay of the implementation of a rule adopted by the commissioner of education or the Texas Education Agency (TEA) that affects methods or procedures for administering statutory provisions relating to public school system accountability until the second school year after the school year the rule is adopted unless the commissioner or TEA is required by law to adopt and implement such a rule in a shorter period. The House Public Education Committee passed HB 370 out of the committee on April 15th but did not get out of House Calendars Committee. ***Died in House Calendars.***

HB 390 by S. Thompson relating to requirements for human trafficking awareness and prevention in commercial lodging establishments; authorizing a civil penalty. The bill would amend the Business & Commerce Code to require commercial lodging establishments to require that employees complete a state approved annual training program in human trafficking awareness, as well as assign a civil penalty to commercial lodging establishments that violate the provisions laid out in Chapter 114 of the Business & Commerce Code. ***Signed by the Governor on May 18th, will take effect September 1, 2021, except Section 1 takes effect January 1, 2022.***

HB 749 by Middleton relating to the use by a political subdivision of public funds for lobbying activities. This bill is dubbed the "Tax Payer Funded Lobby Bill." HB 749 would amend the law to restrict the use of public funds by political subdivisions for lobbying activities and to repeal the authority of a county commissioner court to spend money from the county's general fund for membership fees and dues of a non-profit state association of counties. As an association who has cities and counties as members, it would prevent the Texas Travel Alliance from advocating before the Legislature. Was heard in the House State Affairs Committee on March 26th, but was left pending. ***Died in House State Affairs.***

HB 1024 by Geren relating to the pickup and delivery of alcoholic beverages from certain premises for off-premises consumption. The bill amends current law relating to the pickup and delivery of alcoholic beverages from certain premises for off-premises consumption. ***Signed by the Governor on May 12th and became effective immediately.***

HB 1195 by Geren relating to the franchise tax treatment of certain loans and grants made under the federal Corona virus Aid, Relief, and Economic Security Act. The Senate passed the bill on April 19th and the House concurred with Senate amendments. This bill will bring much needed assurance and certainty to Texas businesses by clarifying that federal loans and grants under the CARES Act, including the PPP loans, are exempt from the state franchise tax. ***Signed by the Governor on May 8th and became effective immediately.***

HB 1268 by Ashby relating to the definition of amusement ride for purposes of amusement ride regulation. The bill amends the Occupations Code to exclude from the definition of "amusement ride" for purposes of provisions regulating those rides a water-slide, including one operated by a mechanical device, in which passengers are carried along a course that is less than 200 feet in length, is substantially constructed from vinyl or vinyl coated polyester, and is not mechanically

inflated using a continuous airflow device. HB 1268 was passed by the House on April 16th and was passed out of Senate Business and Commerce Committee on May 20th. ***Died on the Senate Local and Uncontested Calendar.***

HB 1472 by Bucy relating to the eligibility of the Concacaf Gold Cup for funding under the Major Events Reimbursement Program. HB 1472 amends the Government Code to make the Confederation of North, Central America and Caribbean Association Football (Concacaf) Gold Cup eligible for funding under the major events reimbursement program. HB 1472 amends current law relating to the eligibility of the Concacaf Gold Cup for funding under the Major Events Reimbursement Program. ***HB 1472 was filed without the Governor signature on May 15th, became effective immediately.***

HB 1615 by Cyrier relating to the continuation and functions of the Texas Parks and Wildlife Department heard in the House Cultural Recreation and Tourism Committee. This is the sunset bill for the agency which recommends continuation for another 12 years. HB 1615 was left pending in the House Cultural Recreation and Tourism Committee on April 19th. ***Died in House Cultural Recreation and Tourism.***

HB 1644 by Sherman relating to determinations by the Texas Historical Commission (THC) regarding the relocation of historical markers. The bill would amend the Government Code to require the THC to establish guidelines for an application that would be used for the relocation of a historical marker, monument, or medallion. THC would be required to review the applications and make a determination regarding the relocation. HB 1644 was left pending in the House Cultural Recreation and Tourism Committee on April 19th. ***Died in House Cultural Recreation and Tourism.***

HB 1908 by Morales relating to the adoption of a state scenic byways program was heard in the House Transportation Committee. The bill would amend the Transportation Code to require the Texas Department of Transportation (TxDOT) to establish a program for designating highways as State Scenic Byways that includes a process by which TxDOT receives proposals from political subdivisions or other community groups for funding projects. The Senate Companion was considered by the House in lieu of HB 1908 on May 11th. ***Signed by the Governor on May 28th and is effective on September 1, 2021.***

HB 1927 by Schaefer relating to provisions governing the carrying of a firearm by a person who is 21 years of age or older and not otherwise prohibited by state or federal law from possessing the firearm and to other provisions related to the carrying, possessing, transporting, or storing of a firearm or other weapon; creating criminal offenses. The bill allows both open and concealed carry without a license and if any part of the gun is visible it must be in a holster and not a belt or shoulder holster. If a person carrying is on someone else's property, their property, their rules. Private businesses can prohibit unlicensed carry by giving notice under the Penal Code 30.05 and provides a Class C misdemeanor and a maximum fine of \$200. Prohibited places include schools, including college premises, polling places, courts or offices utilized by the court, racetracks, airports past security, bars, sporting events, correctional facilities, hospitals, nursing homes, mental hospitals, amusement parks, and government open meetings. Any prohibited place listed in Penal Code 46.03 may post a newly-defined sign to give clear notice that the location is prohibited, but the sign is not required to make the place off-limits. HB 1927 is dubbed the Constitutional Carry Bill. The bill passed along party lines in both chambers. ***Sent to the Governor on May 28th.***

HB 2070 by Huberty regarding to the regulation of sports wagering. The bill would require the Texas Department of Licensing and Regulation (TDLR) to regulate the state's sports wagering program, including issuing permits to interactive sports wagering operators. HB 2070 would require TDLR to

certify sports wagering revenues and expenses to the Comptroller of Public Accounts on a monthly basis. This bill was left pending in the House State Affairs Committee on April 14th. ***Died in House State Affairs.***

HB 2345 by Zwiener relating to the authority of certain counties to impose a hotel occupancy tax. The bill amends the Tax Code to authorize the commissioner's court of a county that contains a headquarters and visitor center for a national historical park dedicated to a former U.S. president to impose a county hotel occupancy tax. The tax does not apply to a hotel located in a municipality that imposes a municipal hotel occupancy tax applicable to the hotel. HB 2345 was passed by the House. On May 21st, the bill was passed out of the Senate Natural Resources and Economic Development Committee and recommended for the Senate Local & Uncontested Calendar. Removed from the Senate Local & Unconsent Calendar on May 26th. ***Died in the Senate.***

HB 2390 by Paul relating to the authority of a development corporation created by the Gulf Coast Authority to finance certain projects. The bill expands GCA's current authority as a conduit financier for projects with portions located out of the state in the same manner and to the same extent as a municipality or county may do so under existing statute as well as provide the ability to utilize the existing federal PACE program to reduce the development cost of current and future projects. Reducing these restrictions on GCA's infrastructure investments creates lower cost and more efficient regional treatment facilities. HB 2390 was passed by the House and Senate. ***Signed by the Governor on May 28th and became effective immediately.***

HB 2433 by Zwiener relating to the use of municipal hotel occupancy tax revenue by certain municipalities. HB 2433 amends the Tax Code to expand the municipalities that may use revenue from the municipal hotel occupancy tax for the promotion and preservation of dark skies to include any municipality that is located in a county that has a population of less than 300,000 and that is adjacent to the county in which the State Capitol is located. The bill changes the manner in which the cap on the amount of that revenue the municipality may use for those purposes is determined from a cap based on a determination of the amount of area hotel revenue attributable to dark skies-related events and activities for five years after the date the municipality first uses the revenue for the promotion and preservation of dark skies to a cap based on a good-faith estimate of the annual amount of area hotel revenue attributable to these events and activities, based on reasonable documentation. C.S.HB 2433 prohibits a municipality that uses municipal hotel occupancy tax revenue to preserve and promote dark skies from reducing the percentage of revenue from that tax allocated for advertising and conducting solicitations and promotional programs to attract Tourists and convention delegates or registrants to the municipality or its vicinity to a percentage that is less than the average percentage allocated for those purposes during the 36-month period preceding the date the municipality begins using revenue for the preservation and promotion of dark skies. HB 2433 was passed by the House on May 8th and was referred to Senate Natural Resources and Economic Development on May 12th. ***Died in Senate Natural Resources and Economic Development.***

HB 2713 by Hefner relating to the removal, relocation, alteration, or construction of certain monuments or memorials on public property. The bill would amend the Government Code to authorize the Historical Commission to distribute funds from the General Revenue-Dedicated Preservation Trust Fund Account 664 for the construction of a monument or memorial on state, municipal, or county owned property. Was placed on the House General State Calendar, but ran out of time. ***Died on the House Calendar.***

HB 2977 by Morrison relating to the use of hotel occupancy tax revenue by certain municipalities

and the authority of certain municipalities to pledge that revenue, and to receive and pledge certain other revenue, for the payment of obligations. The bill would apply to the City of Victoria. Victoria would be entitled to receive state sales and use tax and state hotel tax revenue generated, paid, and collected by a qualified hotel, swimming facilities owned or operated by the qualified hotel, and each restaurant, bar, and retail establishment not more than 1,000 feet from the hotel or qualified convention center. Entitlement to state tax revenue would be for a period of 10 years after the qualified hotel is open for initial occupancy. HB 2977 was left pending in the Committee on April 19th. ***Died in House Ways and Means.***

HB 2978 by Hull regarding to required agreement provisions and eligibility of certain games and events for funding administered by the Texas Economic Development and Tourism Office. HB 2978 amends the Government Code requiring agreement provisions and eligibility of certain games and events for funding. This bill was reported favorably out of the House Culture, Recreation, and Tourism Committee on April 15th. ***Died in House Calendars.***

HB 3013 by Biedermann relating to the preservation and maintenance of the Alamo by the General Land Office was heard in the House Cultural Recreation and Tourism Committee. The bill would amend the Natural Resources Code to require present and future museums located in the Alamo and Alamo Complex focus solely on the 1836 battle. HB 3013 was passed in the House and received in the Senate, but was never referred to a committee. ***Died in the Senate.***

HB 3522 by Hunter regarding to the requirement that certain persons taking oysters on a licensed commercial oyster boat obtain a commercial fisherman's license. This bill was reported favorably out of the Senate Water, Agriculture, & Rural Affairs Committee and was recommended for the Senate Local and Uncontested Calendar. ***Died on the Senate Local and Uncontested Calendar on May 26th.***

HB 3537 by Paul regarding to the feasibility of creating and maintaining a coastal barrier system was heard in the House Administration Committee on April 13th, but was left pending. The bill would require the Legislature to establish a joint interim committee to study the implementation of a coastal barrier system that includes a series of gates and barriers to prevent storm surge damage to gulf beaches or coastal ports, industry, or property. ***Died in House Administration.***

HB 3584 by Murr regarding to monuments, markets, and medallions controlled by the Texas Historical Commission. Under this bill, a monument, marker, or medallion installed by the Commission is considered state property and may not be altered, removed, relocated, covered, obscured, or concealed without express written permission from the Historical Commission. HB 3584 was passed by both the House and Senate. ***Sent to the Governor on June 1st.***

HB 3718 by Parker regarding to the requirement that certain entities post human trafficking signs was heard in the House Licensing and Administrative Procedures Committee this week. The bill would require that a variety of different entities, including cosmetology facilities, hospitals, hotels, massage establishments, sexually oriented businesses, transportation hubs, state parks, and other recreational sites, to post informative human trafficking signage in conspicuous areas and public restrooms. HB 3718 was passed out of the House Licensing and Administrative Procedures Committee on May 3rd. ***Died in House Calendars.***

HB 3846 by Krause relating to the scheduling of the first day of school for students by school districts and open-enrollment charter schools, this was left pending in the House Public Education Committee. ***Died in House Public Education.***

HB 4146 by T. King relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain stream segments, stream assessment units, and drainage areas. The

bill would amend the Water Code to restrict the Texas Commission on Environmental Quality (TCEQ) from issuing a new permit for the direct discharge of waste or pollutants into certain drainage areas as defined in the bill or to amend an existing permit to increase the amount of waste or pollutant that may be discharged. Based on the analysis of the TCEQ, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be absorbed with existing resources. HB 4146 was received in the Senate on May 12th, but was never referred to a committee. ***Died in the Senate.***

HB 4359 by Parker regarding prohibiting contracts or other agreements with certain foreign-owned companies in connection with critical infrastructure in this state. If passed, the governor would be allowed to designate a country as a threat to critical infrastructure with the consultation of the public safety director of the Department of Public Safety. HB 4359 was left pending in the House State Affairs Committee. ***Died in House State Affairs.***

HB 4538 by Cyrier relating to the removal, relocation, alteration or construction of certain monuments or memorials located on municipal or county property. The bill would amend the Government Code to authorize the Historical Commission to distribute funds from the General Revenue-Dedicated Preservation Trust Fund Account 664 for the construction of a monument or memorial as defined by the bill in the Local Government Code. HB 4538 was left pending in the House Cultural Recreation and Tourism Committee. ***Died in House Cultural Recreation and Tourism.***

HCR 3 by VanDeaver requesting the Lt. Gov. and Speaker to direct House and Senate committees to conduct an interim study regarding the feasibility of integrating the Northeast Texas. The Northeast Texas Trail is a planned 130 mile multi-use trail that follows alongside U.S. Highway 82 and State Highway 34. When this trail is completed, it will be the longest hike/bike and equestrian trail in Texas; connecting 19 cities spread over seven counties stretching from the edge of the DFW Metroplex to Texarkana. HCR 3 was left pending in the House Administration Committee. ***Died in House Administration.***

HCR 72 by Hunter requesting the creation of a joint interim committee to study the authority of a county or municipality to close access to public beaches during a disaster. If HCR 72 was passed, it would direct the Lieutenant Governor and the Speaker of the House to create a joint interim committee to study the determination of the boundaries of, and the enforcement of law governing access to public beaches. It would also examine the authority of a county or municipality to close access to public beaches during a disaster. HCR 72 was left pending in the House Administration Committee. ***Died in House Administration.***

HJR 97 by Huberty proposing a constitutional amendment authorizing the Legislature to legalize sports wagering in this state. The resolution would amend Article III of the Texas Constitution to allow the legislature by law to authorize and regulate the placing of wagers on sporting events. The proposed constitutional amendment would be submitted to the voters at an election to be held on November 2nd. This joint resolution was left pending in the House State Affairs Committee on April 14th. ***Died in House State Affairs.***

HJR 133 by Kuempel proposing a constitutional amendment to foster economic development and job growth and to provide tax relief and funding for education and public safety by creating the Texas Gaming Commission, authorizing and regulating casinos. The amendment would require the Legislature to establish the Texas Gaming Commission and authorize issuance of not more than four Class I casino gaming licenses for resort destinations in metropolitan statistical areas of the state with estimated population of two million or more, not more than three Class II licenses for limited casino gaming to holders of an active license for pari-mutuel wagering on horse racing at a

racetrack in a metropolitan statistical area with population of two million or more, and not more than three Class III licenses for limited casino gaming to holders of an active license for pari-mutuel wagering on greyhound racing at a racetrack in a metropolitan statistical area with population less than two million. The amendment would require that a federally recognized Indian tribe be allowed to operate slot machines or casino gaming on its Indian land, subject to agreement or law requiring the tribe to remit a portion of its gaming revenue to the state. The proposed constitutional amendment would be submitted to voters at an election to be held November 2nd. This joint resolution was left pending in the House State Affairs Committee on April 14th. ***Died in House State Affairs.***

SB 6 by Creighton relating to liability for certain claims arising during a pandemic or other disaster or emergency. The bill amends sections of the Civil Practice and Remedies Code. SB 6 limits the liability of certain persons for injury, death, or property damage related to, caused by, or during a pandemic diseases with certain exceptions. The bill was passed by the Senate and House. ***Sent to the Governor on June 1st.***

SB 7 by Hughes relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses. SB 7 amends the Election Code to revise the conduct of elections in Texas with regard to election officers and observers, voter assistance, and election fraud and other unlawful practices and to provide for the prioritization of certain election-related proceedings in the Texas Supreme Court, the courts of appeals, and the trial courts. The bill requires a public official to construe the provisions of the Election Code strictly to effect the intent of the legislature that the application of those provisions and the conduct of elections be uniform and consistent throughout Texas to reduce the likelihood of fraud in the conduct of elections. SB 7 was passed by the Senate and House, however, Senator Hughes did not concur with the House amendments sending the bill to a conference committee. Differences were hashed out, however, SB 7 still remained a very contentious piece of legislation. The Senate adopted the Conference Committee Report along party lines. On the West side of the Capitol, the report was not eligible to be brought up for consideration until late on the last night the House could adopt Conference Committee Reports. House Democrats broke quorum and walked out of the House, thus killing the bill. ***Died in the House.***

SB 10 by Bettencourt relating to the use by a county or municipality of public money for lobby activities. While SB 10 is not identical to HB 749 by Middleton, it is still a bill that would ban any lobbying by cities, counties or associations that are funded by taxing entities. Also, this bill is dubbed the "Tax Payer Funded Lobby Bill." SB 10, as passed out of the Senate, would prevent a governing body of a county or municipality from spending money or providing compensation in any manner to directly or indirectly influence the outcome of any legislation before the Legislature. As an association who has cities and counties as members, it would have prevented the Texas Travel Alliance from advocating before the Legislature. The language was substituted in the House State Affairs Committee, which would not have banned lobbying outright but required more transparency and public disclosure of certain information relating to lobbying contracts. Representative Middleton pre-filed several amendments that would have brought SB 10 more in line with HB 749. When he would not agree to pull them down, Chairman Paddie postponed SB 10 thus killing the bill. ***Died in the House.***

SB 14 by Creighton relating to the regulation by a municipality or county of certain employment benefits and policies. The bill would amend the Labor Code to prohibit a municipality or county from adoption or enforcing an ordinance, order, rule, regulation, or policy requiring any terms of

employment that exceed or conflict with federal or state law relating to any terms of employment, with certain exceptions. Each chamber passed their version of the bill, but the House amendments were not all acceptable to the author. Senator Creighton requested to go to conference to hammer out the differences. The Senate adopted conference report on May 30th, however, the clock ran out on the House side. ***Died in the House.***

SB 29 by Perry relating to requiring public school students to compete in interscholastic athletic competitions based on sex and a study conducted by UIL on the effects of allowing a student to participate in an athletic competition designated for the sex opposite to the student's sex. SB 29 was passed out of the House Public Education Committee on May 7th and was placed on the House Major State Calendar on May 25th. Chairman Dutton, the House sponsor, postponed the bill to be taken up later in the evening on May 25th, but the House clock ran out of time. ***Died in the House.***

SB 199 by Nelson relating to automated external defibrillators. SB 199 extends current liability protections regarding AED usages to businesses and property owners. The bill also repeals burdensome requirements to better align training with current AED technology. It also updates the inspection requirements of AEDs. SB 199 was passed by the Senate and House. ***Sent to the Governor on May 29th.***

SB 678 by Alvarado regarding to the creation of the small business disaster recovery loan program was considered in a public hearing on Monday and voted favorably out of the Senate Finance Committee. This bill would amend Chapter 403 of the Government Code to establish the Small Business Disaster Recovery Loan Program and authorize the Comptroller to make loans to small businesses affected by a natural disaster declared by the Governor. TTA put in a card of support for this bill in hearing. SB 678 was passed by the Senate and House. ***Sent to the Governor on May 27th.***

SB 696 by Zaffirini relating to authorizing certain counties to impose a hotel occupancy tax and the use of revenue from that tax. Accordingly, SB 696 would authorize the commissioner's court of a county with a population of less than 60,000 and which holds an annual strawberry festival in a location other than the county seat to levy and collect a county hotel occupancy tax. What's more, the bill would cap the rate of the tax at two percent of the price paid for a hotel room. This tax would fund the construction, maintenance, repair, and operation of a civic center with an arena used for rodeos, livestock shows, and agricultural expositions. House added amendments that were not proper use of HOT funds. TTA requested Senator Zaffirini not concur on House amendments so that they could go to conference and strip off the harmful amendments. TTA worked with legislators on the conference committee. Ultimately, we were successful in amending the bill in conference.

Sent to the Governor on June 1st.

SB 828 by Hughes relating to the use of municipal hotel occupancy tax revenue in certain municipalities. The bill would allow a municipality that has a population of not more than 1,500 and is located in a county that borders Arkansas and Louisiana to use revenue from the municipal hotel occupancy tax for the enhancement and upgrading of an existing sports facility or field regardless of whether the sports facility or field has been used in the preceding calendar year a combined total of more than 10 times for district, state, regional or national sports tournaments. SB 828 was passed by the Senate on April 29th and by the House on May 25th. The House added amendments to the bill which were not proper use of HOT funds. TTA worked with Senator Hughes and other legislators to have those harmful amendments stripped off in conference. We were successful in amending the bill in conference, but time ran out in both chambers to adopt the conference committee report. ***Died.***

SB 1550 by Nelson relating to airport police forces, including the authority to commission peace

officers and the rights, privileges, and duties of those officers. This bill clarifies in statute that airports may appoint peace officers the same privileges as commissioned peace officers of incorporated cities. SB 1550 was passed by the Senate and House. ***Sent to the Governor on May 20th.***

SB 1649 by Perry relating to the authority of certain municipalities to receive certain tax revenue derived from certain establishments related to a hotel and convention center project and to pledge certain tax revenue for the payment of obligations related to the project. This bill allows a municipality with a population of 200,000 or more but less than 300,000 that contains a component of the Texas Tech University System to receive revenue from restaurants, bars, and retail establishments and swimming pools and swimming facilities owned or operated by the qualified hotel. The bill also allows cities that are entitled to this revenue to commence the qualified project before September 1, 2027. The House Companion, HB 4103, was passed. ***Sent to the Governor on June 1st.***

ERCOT/PUC/ELECTRIC/WEATHERIZATION Storm Uri hitting the state in early February caused numerous bills to be filed on the subject. The Legislature approved sweeping legislation to overhaul the state's power grid with the passage of several key pieces of legislation. SB 2 would reduce the number of seats on the ERCOT board of directors from 16 to 11 and 8 of those would be appointed by a selection committee set up by the Governor, Lieutenant Governor, and Speaker of the House. Both chambers also approved an increase on the Public Utility Commission from 3 to 5 through SB 2154. The Governor will continue to appoint the members which will be required to go through Senate confirmation. SB 3 will require power generators and transmission lines to be "weatherized." SB 3 also includes a requirement to study and implement an emergency alert system similar to the Amber Alert System. HB 4492 will loan \$800 million to ERCOT through the State's Economic Stabilization Fund, known as the "Rainy Day Fund," to pay for debts to the grid operator. ***Sent to the Governor on June 1st. (all four bills)***

From: Tori Emerson Barnes, U.S. Travel Association <feedback@ustravel.org>
Sent: Tuesday, May 18, 2021 1:36 PM
To: Maura Gast
Subject: U.S. Travel's Political Primer - May 2021



Supporting **CHAMPIONS** of TRAVEL

May 2021 Newsletter

Dear Maura,

April 29 marked President Biden's 100th day in office. The day before, Biden delivered his first address to Congress—and the nation—outlining his agenda for the next four years. During his remarks, he announced a key \$2.3 trillion infrastructure plan that includes \$25 billion for airport improvements, \$48 billion for workforce development, \$31 billion for small businesses and \$115 billion on roads and bridges. More on Biden's top priorities—and the likelihood of which legislation will advance—below.

New Senate Subcommittee

The U.S. Senate Committee on Commerce, Science & Transportation has formed a new subcommittee on Tourism, Trade and Export Promotion, led by Chairwoman Jacky Rosen (D-NV) and Ranking Member Rick Scott (R-FL). This development is a clear indication our industry, and its alignment with trade and exports, is recognized in Washington.

On April 13, the subcommittee held its first hearing, [The State of Travel and Tourism During COVID](#). U.S. Travel, along with three additional industry leaders, [discussed the turmoil](#) of the last year and encouraged the committee to act quickly to ensure the continuation of the U.S. travel industry.

Prioritizing Political Action

There is no doubt we have a robust bench of travel champions in Congress and that it continues to grow every day. But we must keep the momentum going. Last year made it clear how important it is we have strong political engagement.

We are proud to welcome Nicole Porter as U.S. Travel's new vice president, political affairs - PAC and grassroots. Nicole joins our team with skills and savvy that will further enhance our presence on Capitol Hill and increase our industry's political involvement.

It is more important than ever to make sure we are strategic on our actions to maintain and create close relationships with those who will advocate on behalf of our industry. Thank you for your ongoing support.

Cheers,



Tori Emerson Barnes
Executive Vice President, Public Affairs and Policy
U.S. Travel Association



POLITICAL LAY OF THE LAND

ADMINISTRATION'S ABILITY TO ADVANCE AN AMBITIOUS AGENDA?

As outlined in his remarks to a joint session of Congress, the Biden administration has a very ambitious agenda that will likely include immigration reform, tax reform, an infrastructure package, gun rights, and policing reform, among many others.

Democrats are hopeful that with a democratic president, a democratic House and a 50/50 Senate split they can move these priorities effectively and quickly. However, both chambers have only a very tight majority—in fact it is the slimmest possible. Speaker Nancy Pelosi (D-CA) has 218 Democrats in the U.S. House and now must count on every single one to reach a majority. Senate Majority Leader Chuck Schumer (D-NY) must also rely on every single Democrat in the Senate to vote "aye" in order to move legislation.

Being overly ambitious with such slim majorities could backfire and leave the Democrats vulnerable in the 2022 elections. On average the president's party loses 30 seats in the mid-term elections and if there are no significant legislative wins for the Democrats, the Republicans will seize the opportunity.

STATE ELECTIONS CAN DRIVE HOUSE DIRECTION

Both Virginia and New Jersey hold their state elections on “off” election years, which means key races like governor, lieutenant governor and general assembly will be on their November 2 ballots. These races will play a large role in the redistricting process.

The U.S. Census Bureau has recently said it will speed up delivery of its data and states hope to see final reports as early as the second week of August. The redistricting process starts at the state level and not only affects state assembly seats, but can redraw, add or even eliminate districts in the U.S. House of Representatives. Recent preliminary reports show that seven states will be losing congressional seats: California, Illinois, Michigan, New York, Ohio, Pennsylvania and West Virginia. On the other hand, Colorado, Florida, Montana, North Carolina, Oregon and Texas will be gaining seats.

The redrawing of U.S. House districts will ultimately determine who will control the House for the next 10-20 years. For the past two decades, Republicans have dominated, investing nearly triple what the Democrats have to ensure solid victories in state legislatures. Republicans have control of the congressional redistricting process in 18 states as opposed to only seven for the Democrats. Democrats need a huge win in state races to secure their majority in the House in 2022.

Further reading: [2020-2021 redistricting outlook](#) and [Redistricting: House districts to watch](#) both prepared by the National Journal

Eyes on the East: Virginia

Virginia’s governor is prohibited from serving consecutive terms so Governor Ralph Northam (D) has recently endorsed his predecessor Terry McAuliffe (D) to win his old seat back. Meanwhile, through a convention process, Republican’s designated Glenn Youngkin as their nominee. Youngkin is former co-CEO of a global investment firm, the Carlyle Group. The Democrats have controlled both legislative chambers for the past two years and it seems unlikely that the Republicans can win back control of the general assembly in November.

Eyes on the East: New Jersey

Governor Phil Murphy (D) is running for re-election and although his polling numbers are promising, history is not on his side—a Democrat hasn’t won re-election since 1977. All 80 legislative seats are up in November. New Jersey has a Democratic trifecta—meaning that one party controls all three vital centers: governor, state senate and state house. Primaries will be held on June 8.

Watching the West Coast: California Recall

While political analysts will be focused on these state races, most of America will be watching California's recall election. Supporters submitted 2.1 million signatures by the March 17 deadline. The California Secretary of State has verified enough signatures to meet the 1.4 million needed for a recall election.

California has not yet set an exact date for the recall election, but the law states it will happen within 60 to 80 days of signature verification. The ballot has a two-step process:

1. Do you want to remove the current governor?
2. Who do you want to replace him with?

A recent poll by the [Public Policy Institute of California](#), shows that only four in 10 likely voters said they would vote to remove Governor Gavin Newsom (D) in a recall, while 56% said they would vote no and 5% are unsure.

Further reading and a look ahead: [2021-2022 governor races](#) prepared by the National Journal

A SPECIAL UPDATE ON SPECIAL ELECTIONS

Louisiana's 2nd Congressional District

On April 24, Democrat Troy Carter won the special election with 55.2% of the vote. Carter is a former state senator and has close ties to his predecessor, Hon. Cedric Richmond, who is now serving as senior advisor to the president and director of the office of public engagement.

Further reading: [A look at the 2021 LA-02 special election](#) prepared by the National Journal

Texas' 6th Congressional District

Representative Ronald Wright (R) died from COVID-19 related complications on February 7, 2021. The governor set a special election that took place on May 1, that drew twenty-three candidates. With no candidate clearing 50% of the vote to win, a run-off election will be required between the top two candidates, Republicans Susan Wright and Jake Ellzey. The run-off has been set for July 27.

Further reading: [A look at the 2021 TX-06 special election](#) prepared by the National Journal

New Mexico's 1st Congressional District

Representative Debra Haaland has resigned her seat to serve as Secretary of the Interior. The governor has scheduled the special general election for June 1. State representative Melanie Ann Stansbury (D) will face state Senator Mark Moores (R).

Further reading: [A look at the 2021 NM-01 special election](#) prepared by the National Journal

Ohio's 11th Congressional District

Representative Marcia Fudge (D) is now serving as Secretary of Housing and Urban Development and has resigned her seat. Primaries will be August 3 with a general election on November 2. This is considered a solid Democratic seat.

Further reading: [A look at the 2021 OH-11 special election](#) prepared by the National Journal

A Snapshot of Retirements and Early Departures

U.S. Senate

Roy Blunt (R-MO)
Richard Burr (R-NC)
Rob Portman (R-OH)
Richard Shelby (R-AL)
Pat Toomey (R-PA)

U.S. House

Kevin Brady (R-TX-8)
Mo Brooks (R-AL-5)
[Alcee Hastings \(D-FL-20\)](#)
Jody Hice (R-GA-10)
[Ann Kirkpatrick \(D-AZ-2\)](#)
Tom Reed (R-NY-23)
Steve Stivers (R-OH-15)
[Filemon Vela \(D-TX-34\)](#)
Lee Zeldin (R-NY-1)

Further reading: [2020 congressional retirement tracker](#) prepared by the National Journal

Key Dates Ahead

- **June 1, 2021:** New Mexico Special General Election for 1st Congressional District
- **June 8, 2021:** New Jersey Republican Gubernatorial Primary Election
- **July 27, 2021:** Texas Special Run-off Election 6th Congressional District
- **August 3, 2021:** Ohio Special Primary Election for 11th Congressional District

To learn more about TravelPAC, contact [Nicole Porter](#), vice president, political affairs - grassroots and PAC.

2021 Legislative Report

 texaslodging.com/2021-legislative-report/

Justin Bragiel

June 7, 2021

June 2021

Overview

The 2021 Legislative Session produced very important results for the Texas lodging industry. THLA offered and passed tourism public improvement district (TPID) legislation that provided much needed clarity on how Texas cities with a TPID can add new hotels to their existing districts. Without this legislation, there was not a clear and accepted methodology for adding newly built hotels into an existing Tourism District, leaving the District unable to grow and provide direct services to these hotels.

THLA successfully advocated for full state funding for tourism promotion (approximately \$140 million for the biennium including unexpended balances from prior sessions). We also secured passage of convention center hotel project legislation that will allow four additional Texas cities to pursue convention center hotel projects for their areas. Further, THLA negotiated and advocated on every hotel occupancy tax bill that was filed to ensure that hotel occupancy tax revenue remains dedicated to directly promoting tourism and hotel activity. As we have done every session. THLA successfully opposed and killed the proposed bills that would have placed costly or burdensome regulations on hotel operations.

By the session's end, legislators filed 6,927 bills. Of those, 1,070 bills passed the Legislature and were sent to the Governor. This translates to 15.4% of the filed bills passing the Legislature. This passage rate is lower than the typical passage rate of prior sessions, which saw the following passage rates: 2019 session (19.5%), 2017 session (18%), 2015 session (21%), and the 2013 session (24%).

THLA reviewed every one of the 6,927 filed bills for their potential impact on the lodging and tourism industry. Our review showed 387 bills with a significantly positive or negative impact on the lodging industry if passed. Our staff tracked and advocated on these bills to ensure that the final versions positively and fairly addressed the interests and priorities of the Texas lodging industry.

THLA's legislative advocacy team is proud to report that once again every legislative item that THLA offered this session passed the Legislature, and every item that we opposed was defeated. We note below a summary of the major items that we worked on, followed by a more in-depth coverage of the issues addressed within each of these areas.

Passed Full Funding for State Tourism Promotion: THLA works with partners such as the Texas Travel Alliance (TTA) to ensure Texas's state tourism program is fully funded. The State Budget passed with a full appropriation of \$69.5 million for the biennium (\$33.9 million for 2022, \$35.6 million for 2023). With the inclusion of a rider that allows access to prior unexpended balances, there is a total of about \$140 million that is available over the next two years for promotion of Texas as a tourism destination. This full appropriation, which represents about a \$10 million increase over the prior biennium was achieved despite a significant drop in hotel tax collections in 2020 and 2021.

Passed THLA Tourism Public Improvement District (TPID) Clarifying Legislation: There have been some questions on how to calculate the required "over 60 percent approval threshold" for adding new hotel properties into an existing Tourism PID. SB 804 clarifies that new hotel properties can be added into an existing Tourism PID if the property owner signs a consent form for their property to be added. Additionally, the bill outlines how to calculate the "over 60 percent approval threshold" for adding new hotels into an existing tourism district. Specifically, the community would:

Positively count all the hotel properties that had signed the original petition for the creation of the district;

Positively count consent forms from owners of newly built hotels that ask that their properties be added into the existing District; and

Negatively count against the "over 60 percent threshold" any existing or newly built hotels in the District that did not sign either the original petition at the time of the creation of the District or a consent form to be added to the existing District.

The bill further clarifies that the District would use the current appraised value, current property list reflected on the assessment roll, and current square footage for making the various calculations that require approval by owners of over 60 percent of the appraised value, over 60 percent of the surface area and/or over 60 percent of the total number of hotel properties within the District.

Retained State Tax Rebates for Convention Center Hotel Projects and Passed Legislation that Allows Four Additional Cities to Participate in the Program: THLA successfully advocated for preservation and continued use of this vital program that allows state tax rebates for eligible local convention center projects (e.g.; convention center hotel) that are located within 1,000 feet of a convention center. The applicable bill this session, HB 4103, enabled three additional Texas cities to partner with hotel developers to receive state tax rebates to facilitate the construction of local convention center hotel projects.

Passed/Killed, or Favorably Amended All Bills Providing New Eligible Uses of Local Hotel Occupancy Tax or Increases to the Area Hotel Tax Rate: When cities or counties propose an expansion of how local hotel occupancy tax revenues may be expended or an

increase to a local hotel tax rate, THLA staff contact the area hoteliers and the affected Destination Marketing Organization. We determine what support there is for the proposal and identify any concerns regarding setting a local or state-wide precedent for the requested authority. THLA then works with the bill proponents to make sure that the industry priorities and all needed safeguards are put into the proposed law. THLA advocated on and/or provided topical amendments to every filed hotel tax bill this session, and in many cases, redrafted the legislation, to create return-on-investment safeguards, lowered or eliminated increases to local hotel tax rates, and added other reasonable hotel tax expenditure limitations. The individual hotel tax use bills that were considered and those that passed are outlined later in this report.

Passed an Exemption of Federal PPP Loan Proceeds from State franchise Taxes: HB 1195 passed the Legislature and was signed by the Governor. This important legislation prevents federal PPP loan proceeds that were forgiven under the PPP program from being subject to state franchise taxes.

Preserved and Expanded State Tax Rebates under the Major Events Reimbursement Program for Large Tourism Events: THLA worked to ensure important state incentives such as the state's Major Events Reimbursement Program (formerly termed the "Major Events Trust Fund") remained authorized under state law. We also successfully supported the addition of several new named events to the MERP program. The specific new authorizations are covered later in this report.

Passed Pandemic Tort Claims Protection for the Private Sector: THLA and our business coalition partners successfully worked to pass SB 6, which limits the ability to file a pandemic-related lawsuit against a business or employer only for cases in which that business or employer engaged in egregious or reckless behavior.

Successfully Opposed Burdensome Business and Employment Regulations: THLA and our business coalition partners successfully opposed efforts to mandate an increase of the state minimum wage or to allow cities to set higher local minimum wages for the private sector. We also successfully opposed bills that would have eliminated the tip credit, required workers' compensation insurance, or would have expanded the scope of union neutrality agreements, and more.

Special session(s) forthcoming.

Since early in 2021, it has been no secret that Governor Abbott would likely call the Texas Legislature back into session later this year for at least one special legislative session. Because the release of the 2020 federal census data was delayed due to the pandemic and federal lawsuits, the Texas Legislature was unable to complete the task of redistricting during the regular legislative session. As a result, Governor Abbott will call the Legislature back into session, likely in October, to handle the redistricting issue.

What remains unknown is what other topics Governor Abbott will add to the “call” for the upcoming special session. Only the Governor has the authority to call one or more 30-day special sessions, and it is also up to the Governor to decide what to put into the call of topics that are to be considered by the Legislature.

We are reasonably certain that in addition to redistricting, the call will include appropriation of the nearly **\$16 billion in federal economic stimulus funds**. Some of these funds are earmarked for the hospitality and tourism sector, and THLA will be advocating with our industry partners for funding of programs that provide much needed monetary assistance to the hotel, hospitality, and tourism industry.

In the final few days of the 2021 Regular Session, there was a partisan and cross-chamber meltdown over the hot-button issues of **voting restrictions** (SB 7), “**taxpayer funded lobbying**” (SB 10), and a bill mandating which sports teams a **transgender** child can join (SB 29). The voting restrictions bill failed due to a walk-out by House Democrats on May 30th, depriving the House Chamber of the quorum needed to pass the legislation. In the process, many other bills were killed on the House calendar, and ultimately the Senate calendar, including several local hotel occupancy tax bills on which THLA had secured amendments, as well as the business community effort to preempt local governments from placing certain workplace mandates on the private sector.

In response, Governor Abbott pledged to put the voting restriction issue onto the call for a special session. Clearly, the story of the 2021 Regular Session will continue into the upcoming special legislative session/s.

🔗 **General State Budget Appropriations Bill (SB 1) and Supplemental Appropriations Bill (HB 2).**

SB 1 calls for \$248 billion in state expenditures for the 2022-2023 biennium, which represents a decrease in state spending of about 1% compared to the 2020-2021 state budget.

Due to increased future revenue projections, the State did not have to tap into the state’s rainy-day fund to keep the budget deficit neutral. The final budget did not appropriate the nearly \$16 billion in federal funds available under the stimulus packages, leaving that task to the Legislature for the special session to be scheduled later this fall. The state budget maintains Texas’s strong commitment to public education with \$8.6 billion allocated to higher education alone, building on commitments made in HB 3 last session. Additional support for public education is expected in the special session, as the federal stimulus money is distributed.

The 2022-2023 state budget includes:

- \$3.1 billion to fund enrollment growth for public education;

- \$1.1 billion in additional state aid related to property tax compression in the 2022-23 biennium;
- \$50 million to preserve, maintain, and restore the Alamo and its surrounding complex;
- Over \$30 billion to address the state's transportation needs, including \$26.5 billion dedicated for highway planning, design, construction, and maintenance;
- \$36 million for Capitol repairs and renovations, including the Texas Capitol, Capitol Extension, Capitol Visitors Center, and Texas State History Museum; and
- \$39 million to fortify security at the Texas Capitol, including additional troopers and enhanced safety measures.

Tourism Promotion Funding in the State Budget.

Of particular importance to the hotel and lodging industry, SB 1 provides a full appropriation of \$69.5 million for the biennium (\$33.9 million for 2022, \$35.6 million for 2023) for the tourism promotion program managed by the Governor's Office on Economic Development and Tourism. As noted earlier, with unexpended prior balances added in, the Legislature provided for a total of about \$140 million in funding for promotion of Texas as a tourism destination. This full appropriation was achieved despite a significant drop in hotel tax collections in 2020 and 2021.

Ending the additional \$300 weekly federal unemployment benefit.

Hotels and other businesses are struggling to find available workers. THLA, in partnership with a broad business coalition, successfully lobbied the Governor to end the additional \$300 weekly federal unemployment benefit. The additional benefits, which seemed to dissuade many employees from returning to work, will end during the last week of June.

Exempting forgiven PPP loan proceeds from State franchise taxes.

When it became apparent that under existing Texas law forgiven PPP loan proceeds would be subject to the state franchise tax, THLA immediately acted. THLA and our business coalition partners advanced legislation to prevent forgiven PPP loan proceeds from being subject to state franchise taxes. We are pleased to report that HB 1195 passed the Legislature and was signed by the Governor.

Pandemic tort claims protection.

THLA and our business coalition partners also successfully worked to pass SB 6, which limits a pandemic-related lawsuit against a business or employer unless that business or employer was engaging in egregious or reckless behavior. THLA believes the passage of this important legislation will head off "drive-by" style lawsuits, such as those we have seen related to the Americans with Disabilities Act.

Statewide human trafficking prevention training bill passes; posting of human trafficking signs in public areas of hotels does not pass.

Various state hotel associations have been working to pass state legislation requiring human trafficking prevention training for hotels and modeling those state training requirements on the training provided by the large hotel companies and prominent anti-trafficking NGOs.

THLA is pleased to report that we worked with Rep. Senfronia Thompson (D-Houston) to pass HB 390 into law, requiring all hotel employees to receive annual training on the prevention of human trafficking activity. THLA negotiated with the bill's proponents and worked closely with Rep. Thompson's office to ensure the legislation would hold hotels responsible for ensuring training is provided to direct hotel employees, but not to independent contractors, as was initially proposed. We secured a modification to the legislation to require new hotel employees be trained within 90 days of hiring, instead of 30 days, given the high turnover our industry often experiences. We also worked to ensure that the signage required by HB 390 would continue to be back-of-house signage.

THLA will work with the Texas Attorney General's Office on developing the rules for the training requirement and on getting approval of the training programs that are commonly used by the major hotel brands. HB 390 has been signed by the Governor, and the training requirements will take effect starting January 1, 2022.

With the passage of HB 390, a bill that would have required hotels to post human trafficking awareness signage in public areas of the hotel was forestalled. Specifically, HB 3712 by Rep. Parker (R-Flower Mound) would have required hotels to post signage in public areas as determined by rules of the Attorney General's Office. When that bill did not make it onto the House calendar, SB 1831 was amended to include the public signage requirement. Because back-of-house signage is already required by HB 390, we advocated for the removal of the front-of-house signage requirement from SB 1831, and the language was removed.



Pandemic response bills attempting to limit local orders, limit the governor's orders, prohibit mask mandates, and prohibit vaccine passports.

Prohibiting “vaccine passports” in Texas passes: SB 968 by Senator Kolkhorst (R-Brenham) prohibits a business entity from requiring a customer to provide any documentation certifying the customer's COVID-19 vaccination status or past illness recovery status to gain entry to the business or to access the business's services. The bill does not affect an employer's ability to require employees to be vaccinated.

Attempts to place legislative limits on the Governor's power largely do not pass: The Legislature filed about 100 bills that would have:

- limited the emergency powers of local government officials,
- limited the authority of the governor to issue emergency orders,
- limited the ability of any governmental executive to order masks, and
- required the Governor to call a special session in the event of a future pandemic.

Most of these bills did not pass, largely due to disagreements between the House and Senate on specific language.

☞ **State and local incentives for convention center hotels: Adding new cities; near-passage of project extensions due to the pandemic.**

Several bills were filed this session to allow additional cities to use state and local hotel tax rebates to help fund the construction of local convention center hotel projects. Originally enacted in 2003 for large cities, this legislation has been expanded over the years to allow certain mid-sized and smaller cities to participate in the program.

Under the convention center hotel project program, the hotel tax revenue generated by a convention center hotel can be used to mitigate the costs of developing the project. Additionally, participating cities are entitled to receive a rebate of state hotel occupancy taxes, state sales taxes, and local alcoholic beverage taxes from the eligible convention center hotel project for the first 10 years after the project opens for occupancy.

In 2017, THLA added vital language to the convention center hotel program to protect the continued funding of the area CVB or destination marketing organization (DMO). The THLA provision requires that cities that pursue a convention center hotel project may not lower the percentage of hotel tax that is committed to "marketing" below the prior three-year average percentage of hotel tax that has been used for marketing. This language remains in effect.

This Session, bills authorizing new convention center hotel projects were ultimately combined into HB 4103, resulting in three additional cities becoming eligible for the program: **Victoria, Leander, and Missouri City**. Additionally, HB 4103 allows **Lubbock** to have a larger zone-type project. HB 4103 passed and awaits the Governor's signature.

Additionally, THLA worked on legislation that would have allowed hotel projects that were open and receiving rebates throughout the pandemic to qualify for an additional two years of rebates to mitigate the impact on rebates in 2020 and 2021 due to the pandemic. This change was added as an amendment to SB 828, and it would have provided rebate extensions for the convention center hotel projects in Dallas, Houston, Irving, Arlington, Odessa, Amarillo, El Paso, and Nacogdoches. However, when the House broke quorum on

May 30th to prevent the passage of the voting restrictions bill, SB 828 was one of the many bills that died on the calendar. THLA will explore pursuing this legislation in the special session.

Statewide homeless camping ban.

In 2019, the City of Austin largely repealed its ban on people “camping” in public areas, which included areas under highway overpasses, along rights-of-way, and on parcels of city-owned property. Immediately after repealing the camping ban, Austin experienced a sudden influx of new homeless individuals and homeless tent encampments in downtown and throughout the city.

Responding to the exponential growth in homeless tent encampments throughout the city, a group organized under the name “Save Austin Now” gathered sufficient signatures to put the camping ban issue as a ballot item for Austin voters. In May of 2021, the ballot proposition requiring enforcement of the prior camping ban passed overwhelmingly, forcing the City of Austin to reinstate both the public camping ban and the City’s prohibition against sitting or lying on a public sidewalk in the downtown area.

The homeless camping situation in Austin quickly caught the attention of state lawmakers. In response, Rep. Capriglione (R-Keller) filed HB 1925, statewide legislation that prohibits “camping” in public places that are not approved as recreational camping areas. If a city or county designates areas to be used as lawful homeless camping areas, HB 1925 requires that city or county get the local government’s camping area designation approved by a state agency.

Additionally, an amendment was added to HB 1925 to not allow the approval of a city or county’s plan for homeless camping areas if the plan proposes to include public parks for this purpose.

Finally, HB 1925 contains state enforcement mechanisms if a local government does not comply with the new state law. Specifically, the Texas Attorney General is empowered by HB 1925 to seek injunctive relief compelling a city or county to both comply with HB 1915 and to enforce the statewide camping ban. Furthermore, the State may withhold State grant funds from the city or county if the local government is not complying with or enforcing the statewide camping ban.

HB 1925 is expected to be signed by the Governor and will take effect on September 1, 2021.

Firearms legislation: Permit-less carrying; hotel guest firearms policy bill.

Permit-less carrying: The Legislature took up firearms legislation and the Governor, Lt. Governor, and Speaker of the House made passing pro-gun bills a top priority. For example, the Legislature removed the state law requirement for an individual to obtain a license to carry a handgun in public. Often referred to as “Constitutional Carry” by firearm proponents, similar measures have been proposed in Texas for well over a decade. This Session, the efforts gained new traction when Speaker Phelan expressed support for the measure. HB 1927 passed the Legislature, and Governor Abbott indicated he will sign the bill.

Hotel firearms policy bill: Passage of Senate Bill 20 by Senator Donna Campbell (R-San Antonio) was a top priority item for Lt. Governor Dan Patrick this session. The legislation requires that a hotel with more than ten rooms must allow a hotel guest to:

- Carry or store a firearm or ammunition in the guest’s hotel room;
- Carry a firearm or ammunition directly en route to the guest’s hotel room;
- Carry a firearm or ammunition directly en route between the guest’s vehicle and the guest’s hotel room; or
- Store a firearm or ammunition in the guest’s vehicle located on the hotel property.

Originally, SB 20 only applied to handguns. However, a last-minute floor amendment added in the House of Representatives broadened the scope of this bill to apply to any lawful firearm.

Hotels may continue to require guests to “conceal” the firearm in a case or a bag. Hotels may also continue to prohibit guests from carrying firearms in public areas of the hotel such as lobbies, restaurants, bars, meeting space, pool areas, fitness rooms, etc. However, guests may traverse such areas with their lawful firearm if they are directly en route between their hotel room and their car. Any gun policy adopted by a hotel cannot conflict with these statutory allowances and the policy should be posted on the hotel’s website.

SB 20 does not affect a hotel’s ability to enforce policies prohibiting hotel employees from carrying firearms on the property.

SB 20 will take effect on September 1, 2021.

Winter storm response.

In the wake of the deadly February winter storm, the Texas Legislature took up overhauling the Texas power grid.

SB 3: Winterizing of Electricity Generating Facilities. Under SB 3, electricity generating facilities and electricity transmission line operators will be required to make improvements to their equipment and “winterize” in preparation for future winter storms. Additionally, under SB 3, Texas residents will be notified via an emergency alert system if the state experiences

similar power outages. The passed version of SB 3 does not require renewable energy companies to cover the cost of purchasing reserve power for the grid, an idea that was proposed by the Senate but opposed by the House.

SB 2: ERCOT Board of Directors and Accountability: SB 2 reforms ERCOT's board of directors, bylaws, and provides new accountability measures for the Legislature and PUC to oversee the entity's actions.

HB 4492: State Loan to ERCOT. HB 4492 provides ERCOT with an \$800 million loan to help that entity pay off debts accrued when many small electricity providers were unable to pay for electricity during the disaster. However, HB 4492 does not provide relief for utility customers, and it will not affect the large bills many consumers saw from the storm. In fact, consumers' utility bills may increase in the future to pay for both the ERCOT loan, and the costs of utility winterization required by SB 3.

Alcohol to-go bill and 24-hour hotel bar access for registered guests pass.

Alcohol to-go Authorization Passes. After the temporary allowance for alcoholic beverages "to-go" by food establishments during the pandemic, an effort was undertaken at the Legislature to make alcohol to-go a permanent fixture. HB 1024 by Rep. Geren (R-Fort Worth) allows establishments that hold a food permit to sell mixed beverages, beer, or wine to-go with a food order. The alcoholic beverages must be in a sealed container or tamper-proof container and appropriately labeled, and the customer must also order food items at the same time.

Under HB 1024, hotels, similar to a standalone restaurant, are also permitted to sell alcohol to-go (i.e., for off-premises consumption) if the hotel has an MB permit from the TABC, and the hotel also has a food establishment endorsement on their MB permit. Food must be sold with the alcohol taken for off-premises consumption. We note that HB 1024 does not prohibit a hotel with a package store permit from selling sealed alcoholic beverage via the hotel's store. Additionally, HB 1024 does not affect a hotel's ability to sell opened beer and wine and mixed drinks from the hotel's bar and then allow that guest to consume that beverage anywhere on the hotel premises.

24-hour service in hotel bars (for registered guests) passes. This session, the Legislature passed HB 1518 by Rep. Dutton (D-Houston) that will allow a hotel bar to serve alcoholic beverages 24-hours a day to a registered guest of the hotel. The 24-hour hotel bar service is limited only to registered hotel guests. Additionally, HB 1518 became noteworthy in the media because the bill took on an amendment that will allow retail stores to sell packaged beer and wine at 10 am on Sundays instead of noon.

Local hotel occupancy tax bills that passed, and those that did not.

This legislative session, 27 hotel occupancy tax related bills were filed. Overall, however, a very small number of these bills passed this Session. This is largely because some of the hotel tax proposals were amended onto bills that ultimately died on May 30th when the House broke quorum to prevent the passage of the voting restrictions bill. Here is a summary of the hotel occupancy tax bills and bill amendments THLA worked on and their status.

Hotel occupancy tax bills and amendments that passed.

THLA conducted lengthy negotiations with the City of Dallas, Fair Park advocates, Rep. Anchia (D-Dallas), and Senator West (D-Dallas) to narrow the venue tax bill to only apply to the City of Dallas Fair Park facilities, and specifically to require that any venue project for Dallas Fair Park must be a limited part of an overall venue project for the expansion of the Kay Bailey Hutchison convention center.

The ultimate product of our negotiations was a bill that was supported by THLA, the Hotel Association of North Texas, and the advocates for Fair Park and the City of Dallas. The passed version of the bill provides that the City of Dallas can propose a ballot proposition to authorize up to a two-percent venue hotel occupancy tax to improve Fair Park, but only if that same ballot proposition also includes the expansion of the Kay Bailey Hutchinson Convention Center. The bill stipulates that no more than 20 percent of the funding from the hotel occupancy venue tax can be used for Fair Park facility improvements. The remaining 80 percent of the hotel occupancy venue tax proceeds must be dedicated to the Kay Bailey Hutchison convention center expansion. SB 2181 passed and has been sent to the Governor.

Qualified Hotel Project (QHP) expansion: HB 4103. As noted earlier, the Qualified Hotel Project authority under state law provides for state tax rebates that can be accessed by local communities for their convention center hotel projects. As amended and finally passed, HB 4103 expands the QHP program and the attendant state tax rebates to three new communities: **Victoria, Leander, and Missouri City** for their qualified hotel projects.

HB 4103 also **expanded Lubbock's existing QHP authority** to allow that city to engage in a QHP zone project, which enables tax rebates to the City from businesses that are within 1,000 feet of the convention center hotel project. Victoria is also eligible for a zone.

Additionally, HB 4103 provides QHP **cleanup language for the City of Grand Prairie**, allowing that city's future project to be located on land owned by the U.S. Army Corps of Engineers.

Finally, HB 4103 **extends the deadline for QHP zone projects to start construction** of their projects **to 2027** (current law required the construction to have started by 2023).

Hotel Tax for Sports facilities legislation that passed:

Queen City: HB 4103. Originally filed as SB 828, the Queen City sports facility legislation was amended onto HB 4103. The change in the law amends Queen City's existing authority to use local hotel tax revenue to improve a sports facility. Specifically, it removes the requirement that the sports facility must have been used at least 10 times for regional, state, or national championship activity in the year prior to the improvement. State law still provides that five years after the improvements to the Queen City facilities are made, the City must show that the hotel revenue generated by events at the sports facility at least equals the amount of hotel tax revenue spent on the improvements.

Carrizo Springs: HB 2209. This bill provides that the City of Carrizo Springs may use hotel tax revenue to improve an existing sports facility in the same manner as many other Texas cities. Similar to the Queen City bill, it removes the requirement that the sports facility must have been used at least 10 times for regional, state, or national championship activity in the year prior to the improvement. State law still provides that five years after the improvements to the Carrizo Springs facilities are made, the City must show that the hotel revenue generated by events at the sports facility at least equals the amount of hotel tax revenue spent on the improvements.

Victoria: HB 4103. Originally filed as HB 2977, the City of Victoria sports facility bill was ultimately added onto HB 4103. The applicable provision allows Victoria to enter into the same type of sports facility lease agreements as was permitted for the City of Odessa in the 2019 session. Specifically, Victoria's amendment allows the City to enter into a lease of at least 25 years with the University of Houston Victoria to construct and maintain sports facilities on land owned by UHV. The sports facilities must show the required return-on-investment within seven years of the hotel tax expenditure for that purpose. The City also may not reduce funding to its CVB/destination marketing organization during the time that the sports facility receives hotel tax funding.

Baytown: HB 3682. This bill provides that Baytown may use hotel tax revenue to improve an existing sports facility in the same manner as many other Texas cities. The sports facility must have been used at least 10 times in the preceding year for regional, state, or national championship activity. And, five years after the improvements to the facility are made, the City must show that the hotel revenue generated by events at the sports facility at least equals the amount of hotel tax revenue spent on the improvements.

County hotel tax legislation that passed:

Anderson County: HB 3217. Allows Anderson County to impose a countywide hotel occupancy tax at up to a **two percent rate**, including within the City of Palestine. Anderson County may use the tax revenue to improve and renovate a civic center owned by the County, and for the other standard county hotel tax purposes.

Atascosa County: SB 696. Allows Atascosa County to impose a countywide hotel occupancy tax at up to a **two percent rate**. Atascosa County may only use the tax revenue to construct, improve, enlarge, maintain, and operate a civic center with an arena used for rodeos, livestock shows, agricultural expositions, to substantially enhance hotel activity.

Fannin County: SB 696. Originally filed as HB 3565 and was later added onto SB 696. Allows Fannin County to impose a hotel occupancy tax at up to **seven percent rate, applicable only in areas of the County that are not subject to a municipal hotel tax** (such as within the City of Bonnen). THLA worked with the author to ensure the tax would not apply within the City of Bonnen. Fannin County may use the hotel tax revenue for the standard purposes as other counties.

Maverick County: SB 696. Originally filed as HB 2172 and amended onto SB 696. Maverick County had existing hotel tax authority to impose up to a seven percent hotel occupancy tax outside of the city limits. SB 696 changes that authority to allow Maverick County to impose a **countywide hotel occupancy tax with a maximum rate of two percent**. In addition to general authority for spending hotel tax revenue, Maverick County may also use hotel tax revenue for certain airport improvements with a cap on expenditures that is based on attributable hotel activity (using the same standard in place for certain other smaller population counties).

County hotel tax data reporting: SB 1655. SB 1655 will require counties that impose a hotel occupancy tax to report tax data on how the county uses the local hotel tax to the Texas Comptroller. This legislation will ensure that Texas counties are treated the same way as Texas cities regarding reporting hotel tax use data to the State of Texas.

Hotel occupancy tax bills and amendments that did not pass.

Use of hotel tax revenue for general infrastructure: HB 3091. Freshman Representative Cody Vasut (R-Angleton) filed HB 3091 that would have allowed cities to use hotel tax revenue for infrastructure such as streets, roads, bridges, utilities, and parks. THLA contacted Rep. Vasut and urged him to honor the statutory prohibition against the use of local hotel tax for general infrastructure purposes. The Representative agreed not to further pursue the bill and THLA committed to work with the Representative and area cities on their hotel tax priorities during the interim.

City of Forest Hill parks, trails, and sidewalks: SB 1851. The City of Forest Hill initially requested legislation that would allow the City to use hotel tax revenue for improvements to its municipal parks, trails, and sidewalks. THLA immediately contacted Senator Powell's

office regarding the legislation and urged them to defer consideration of their bill to our work with the Texas City Manager's Association on use of local hotel tax for the parks. The Senator's office honored our request.

City of Tomball parks, trails, and sidewalks: HB 2155. Tomball requested legislation that would allow that City to use hotel tax revenue for improvements to its municipal parks, trails, and sidewalks. THLA immediately began negotiating with Rep. Oliverson's office and with the City. Ultimately, the legislation was not further pursued after Tomball's city manager tragically passed away in a vehicle accident.

Use of hotel tax revenue for certain public parks: HB 3223, SB 1469, and SB 696 (attempted amendment). Prior to the start of the session, THLA was approached by leadership from the Texas City Manager's Association regarding a proposal to allow small to medium sized cities to use hotel occupancy tax revenue to improve certain city parks. The bill as proposed would have simply created a new category for use of hotel tax for park related improvements that directly promote hotel activity.

THLA worked with the proponents to develop a compromise bill that had the following terms:

- **ROI requirement:** The City could not spend more on the park improvements than the amount of revenue that is generated for hotels from that specific park improvement. For example, if a festival held at a park generated \$10,000 in hotel nights, up to \$10,000 in hotel tax could be spent at that park on the improvements that generated the hotel activity.
- **Documentation Requirement:** The determination of the hotel night impact from the parks had to be done in good faith and based on reasonable documentation.
- **Limitation on Expenditures to Improvements Generating Hotel Activity:** The hotel tax expenditure could only be on the park improvement, and not on maintenance or operational costs of the park.
- **Cap on Amount that Can Be Spent:** In no case could the total amount of hotel tax spent on park improvements exceed 10 percent of the total annual hotel tax received by that city.
- **CVB Funding Protection Provision:** If the city expended any hotel tax on park improvements, the city must maintain the percentage of hotel tax that the City expends on marketing to be at or above the average percentage of the hotel tax that the city has historically spent on "marketing" over the last three years. This provision is intended to safeguard DMO/CVB funding.
- **Limited Application of Bill to Smaller Communities:** The bill was initially proposed to apply to cities of under 200,000 population but was later modified to only apply to the Cities of Wimberley, Fredericksburg, Dripping Springs, and Buda.

Ultimately, the bill did not pass, but due to the THLA good faith negotiations on the bill, we were able to divert the pursuit of the above four noted bills that also sought to use local hotel tax for the parks and related infrastructure. Additionally, the compromise version of the bill is

now a much more reasonable and likely starting point if there are future attempts by cities to use local hotel tax for parks related improvements.

Online travel company tax parity bill by the Texas Comptroller: HB 2889. Refiled from the 2019 session, the Comptroller again asked the Legislature to take up tax parity between online travel companies and hotel companies when booking hotel rooms. Currently, online travel companies pay hotel occupancy tax only on the “wholesale amount” that they remit to the hotel for the room night, under the premise that the retail price differential is a non-taxable commission. The Comptroller appropriately asserted that hotel companies and online travel companies should all have to pay the hotel tax on the same “retail” price that is remitted by the customer for the room night. THLA was supportive of the Comptroller’s legislation. However, the online travel companies continued to inaccurately portray the bill as imposing a “new tax,” an argument that was fatal to the bill.

Denton County hotel tax amendment: Unexpectedly, on May 8th, Representative Stucky (R-Denton) added a House floor amendment to HB 2172, an unrelated hotel tax bill for Maverick County. The Stucky amendment was requested by the Denton County Judge. The authority would have allowed Denton County to impose up to a two-percent countywide hotel occupancy tax for the county expo/fairground and events arena.

THLA notified affected hoteliers and the cities within Denton County (Denton, Frisco, Lewisville, and Carrollton). Hoteliers within the City of Denton met with Judge Eads, and ultimately became supportive of the project. However, the County tax would have applied to a large PGA Resort development within the City of Frisco, and Frisco did not withdraw its objection to the tax proposal. Because the various local governmental entities in the area could not reach consensus, Judge Eads ultimately withdrew the county hotel tax proposal and the Stucky amendment was pulled off the bill when it reached the Senate.

Cameron County / City of Brownsville hotel tax legislation: HB 2543, SB 2089, amendment to HB 4305. Cameron County, and eventually the City of Brownsville, filed legislation that shifted forms multiple times during the session.

As initially filed, the legislation would allow Cameron County to use its hotel occupancy tax revenue to construct, improve, and maintain infrastructure related to an international toll bridge. When THLA objected to the legislation as filed, the legislation was substituted with an entirely different idea: allowing the City of Brownsville to establish a tax increment financing (TIF) zone that would allow the City to obtain state tax funds to construct a venue or towers to observe spacecraft launches.

When the substituted version of the bill failed to advance on the House calendar, the TIF idea was abandoned, and an amendment was added to HB 4305 that would allow Brownsville to take part in the qualified hotel project (QHP) program. HB 4305 died on May 30th when the House broke quorum over the voting restrictions bill.

City of Shenandoah road and wastewater line extension: Amendment to SB 828. In the last week of the session, at the request of the City of Shenandoah, Rep. Toth (R-The Woodlands) added a House floor amendment to SB 828 that would have allowed the City to use hotel tax revenue for “municipal infrastructure, including an extension of a road or wastewater pipeline” that fronted a number of existing and anticipated hotels. Shenandoah is a small commercial corridor community that has more hotel rooms within its city limits than it has single family residences.

Immediately after the amendment was posted to SB 828, THLA contacted the City of Shenandoah and Rep. Toth, and worked with them on alternative wording. The next day, Rep. Toth amended his original amendment to provide much stronger limitations on the use of the hotel tax revenue. SB 828 and the Toth amendment died on May 30th when the House broke quorum over the voting restrictions bill.

Dark skies authority for certain Far West Texas communities: HB 4305, SB 2133. Building on dark skies legislation passed in 2019 for certain Hill Country communities, THLA worked with the National Parks Conservation Association (NPCA) on expanding that local authority to the communities of Jeff Davis County, Presidio, and Alpine. At one point, the legislation also encompassed Brewster County and Marfa, but those communities were eventually removed from the bill. The legislation allowed a limited amount of local hotel tax to be used by these named communities for lighting adaptations that maximized the ability for star gazing activities that were incident to tourism in these areas. HB 4305 died on May 30th when the House broke quorum over the voting restrictions bill.

Blanco County hotel tax authority: HB 2345, HB 2433, and amended onto HB 4305. At the request of Blanco County, Rep. Zwiener (D-Kyle) filed legislation to allow Blanco County to impose a seven-percent hotel tax in unincorporated areas of the County and use a limited portion of hotel tax revenue for dark skies related purposes in that county. Both standalone bills, HB 2345 and HB 2433, made it out of the House, but stalled in the Senate in the final days of the session. To save the County hotel tax authority language, HB 4305 was amended on the House floor to include the Blanco County language. However, HB 4305 died on May 30th when the House broke quorum over the voting restrictions bill.

City of Richland Hills use of hotel tax for a sports facility: HB 3234, amended onto SB 828. THLA worked with the City of Richland Hills on legislation that would have allowed that city to use a limited amount of hotel tax revenue for certain qualified sports facilities. However, when SB 828 went to conference committee, the Senate stripped off the Richland Hills amendment because the item was never considered in a public hearing by the relevant Senate committee.

🔗 Events Trust Fund Reimbursement Program expansion and preservation.

THLA continues to be a strong advocate for all the state events trust fund programs. These programs include the Major Events Reimbursement Program (MERP) and the Events Trust Fund (ETF). These programs allow cities to receive state tax rebates to help cover the local costs that cities and DMOs have for hosting competitively bid major tourism events. THLA continued its advocacy for both the preservation of this program and for the addition of additional qualifying events. The following events trust fund bills passed this session:

- HB 1472: Adds the **Confederation of North, Central America and Caribbean Association Football (Concacaf)** to the list of eligible events under the events reimbursement fund.
- SB 1265: Adds the **National Hot Rod Association Fall Nationals at the Texas Motorplex** to the list of eligible events under the events reimbursement fund.
- SB 1155: Adds the **Texas Grand Prix** to the list of eligible events under the events reimbursement fund.

Unfortunately, several MERP events did not pass this session due to partisan conflicts and conflicts between the House and Senate chambers which caused a number of these and other bills to die in the last week of the session. The proposed additional events that were not added into state law include the SXSW Conference, the LPGA Championship, the Professional Bull Riders World Finals, the PGA Championship, the Senior PGA Championship, and the Ryder Cup. There was substantial support in both chambers for the inclusion of these events into the MERP program and THLA will work to help ensure their inclusion and passage in the next legislative session.

Hotel operations bills that passed.

Ensuring employers' unemployment tax accounts are not assessed for unemployment benefit claims caused by the pandemic. HB 7 is important legislation that ensures employers are not taxed at higher unemployment tax rates due to unemployment benefit claims caused by emergencies such as the pandemic. This bill will ensure hotels do not face higher UI rates for layoffs caused by the pandemic.

Making sexual harassment an unlawful employment practice under state law. SB 45 codifies existing federal law that an employer commits an unlawful unemployment practice if sexual harassment occurs in the workplace and the employer knows or should have known of the conduct and fails to take immediate corrective action.

Excluding card payment processing charge from sales taxes. SB 153 clarifies that the fees charged to a merchant for processing customer payment cards is not subject to sales tax.

Providing tort claims immunity for automated external defibrillators (AEDs). SB 199 was supported by THLA. The bill provides for tort claims immunity regarding the use of an AED, regardless of whether employees are trained in the use of the AED. To be eligible for

immunity, the business must maintain the AED in accordance with the manufacturer's guidelines and conduct a monthly inspection of the AED. The monthly inspection must verify if the AED is placed at its designated location, reasonably appears ready for use, and does not reasonably appear to be damaged.

Applicability of the International Swimming Pool and Spa Code. HB 2205 harmonizes versions of the International Swimming Pool and Spa Code (ISPSC) between the state and local governments.

Additional foodservice and alcoholic beverage bills that passed.

Regulating third-party food delivery companies. SB 911 requires third-party food delivery companies to register with the Texas Secretary of State, prohibits them from using a restaurant's mark or trade without permission, prohibits them from charging a restaurant a fee without permission, and prohibits them from adding a restaurant to the service without permission.

SB 911 also prohibits the TABC from issuing a food endorsement to an establishment with a mixed beverage permit if the establishment lacks a permanent kitchen.

Allowing guests to leave a restaurant with unopened wine bottles. HB 1755. Under existing law, a restaurant can allow a patron to take home unconsumed wine remaining in an opened wine bottle at the end of the meal. HB 1755 expands this concept by allowing a person who orders wine with food to remove the bottle of wine from the restaurant whether the bottle is opened or unopened.

Allowing foodservice establishments to sell “grocery” food items to consumers. HB 1276. In the spring of 2020, Governor Abbott issued an emergency directive allowing restaurants to sell bulk food products such as uncooked produce, meat, and dry goods directly to consumers under guidance issued by the Texas Department of State Health Services (DSHS). Restaurants took advantage of the emergency directive to serve customers in new, innovative ways, creating family meal kits and even cooking class boxes. HB 1276 codifies the executive order into state law.

Property tax bills that passed.

Reform of the Appraisal Review Board (ARB) process. SB 63 streamlines the appraisal review board process by allowing electronic notices and changes who is eligible to sit on the ARB. The bill also sets out specific deadlines for the ARB to provide information to the property tax payor.

Ability to sue appraisal districts for not following procedures. Concerns have been raised that some appraisal districts and appraisal review boards do not follow certain procedural requirements applicable to taxpayers' protests of property taxes. HB 988

provides taxpayers with the option to bring suit to compel these entities to comply with the applicable requirements. HB 988 also includes a 10-day notice window to allow the district, chief appraiser, or appraisal review board an opportunity to comply before the suit could be filed.

Allowing local governments to authorize installment payments in a disaster or emergency. SB 742 expands the authority of a governing body of a taxing unit to allow certain qualifying taxpayers to remit property taxes in installments if the property was subject to certain types of disaster or emergencies.

Clarifying disaster related property tax exemptions must result from physical property damage. SB 1427 clarifies existing law and codifies a 2020 Texas Attorney General opinion that the temporary exemption from property taxes due to damage from a disaster must involve actual physical property damages. A question arose during the pandemic as to whether economic damages qualify for the exemption. This bill clarifies that purely economic damages do not qualify for the exemption.

Additional firearms bill: Prohibition against governmental contracts with entities that retaliate or discriminate against the firearms industry.

SB 19 passed which prohibits the State of Texas and all other governmental entities in Texas from contracting with entities that “discriminate” against firearms manufacturers, ammunition manufacturers, or trade associations representing the firearms industry. “Discrimination” is defined as refusing to do business with an entity involved with the firearms industry because the entity is affiliated with the firearms industry.

Creation of the Gulf Coast Protection District.

SB 1160 by Senator Taylor (R-Friendswood) authorizes creation of a special purpose district to help protect areas of the gulf coast from storms and other natural disasters. The district will be composed of state-owned territory in **Chambers, Galveston, Harris, Jefferson, and Orange counties**, and other territory annexed by the District. The District will be governed by a board of 11 directors appointed by the Governor and confirmed by the Senate.

The district can:

- Establish, construct, extend, maintain, operate, or improve a coastal barrier or storm surge gate in the manner provided by Local Government Code statutes governing seawalls and levies in coastal municipalities and counties.
- Establish, construct, and maintain recreational facilities for public use and environmental mitigation facilities related to certain district projects.
- Establish, construct, maintain, or operate a project recommended in the ecosystem restoration report or the protection and restoration study.

- Provide interior drainage remediation or improvements to reduce additional flood risk for a project recommended in the ecosystem restoration report where additional flood risk resulted from the design or construction of a project.

The district would be funded by a maximum property tax rate of up to 5 cents on each \$100 valuation. The district is required to hold an election to obtain voter approval before imposing a property tax or bond payable from property taxes.

Additional bills that failed to pass:

Problematic employment law bills that were defeated.

Many bills were filed this session that would have raised the minimum wage, eliminated the tip credit, and/or allowed a city to set a higher minimum wage or other hourly wage/employment standards for private sector employees. In certain states, cities have the authority to set artificially high mandated wage levels for the private sector. For example, cities in California and Washington have raised their private sector minimum wage rate to at least \$15/hour and other cities around the nation have recently increased their own minimum wage mandates against their private sector businesses or are preparing to do so.

Over a decade ago, THLA helped pass a statewide law that preempts Texas local governments (cities and counties) from mandating an artificially higher minimum wage for the private sector. Additionally, THLA worked with our industry partners within a broad-based coalition to oppose any efforts to provide municipalities or the State with the power to set artificially higher private sector wages.

The following other employment law bills did not pass:

- HB 60, HB 731, HB 1827, HB 1917, HB 3226, HB 4013, and HB 4484 would have raised the **minimum wage** to \$15 / hour and eliminated the tip credit. HB 383 would have raised the minimum wage to \$12 / hour and eliminated the tip credit.
- HB 244 and SB 389 would have allowed **cities and counties** to set their own **minimum wage**.
- HB 255 would have raised the statewide **minimum wage** automatically every year and would have allowed **local governments** to set the **minimum wage** for the private sector.
- HB 2507 would have:
- HB 360 and HB 419 would have prohibited employers from inquiring about an applicant's wage history.
- HB 405 would have permitted employees to **file unpaid wage claims** with the TWC for **up to a year after the missed payment**. The current filing period for wage claims only allows for a 180-day window after the missed payment.

- HB 401 and HB 1915 would have required retail establishments (including hotels) to **notify hourly employees of their schedules at least two weeks in advance** if the establishment had more than 500 employees and at least 10 other retail establishments in Texas.
- HB 87, HB 284, and HB 1298 would have mandated businesses provide **paid sick leave**.
- HB 4100 would have created a Texas version of the FMLA and provided funding for the leave through a state appropriation.
- SB 209 would have prohibited most **nondisclosure** and alternative dispute resolution agreements between employers and employees.
- HB 4290 would have **invalidated covenants not to compete** for employees earning less than \$15.01 per hour.
- SB 1669 would have made it unlawful to require vaccines of employees.

Economic development related bills that did not pass.

HB 778, HB 1502, HB 1556, HB 3230, HB 4242, SB 144, and SB 1255 would have extended the sunset of the Texas Economic Development Act in 2022, but all failed to pass. This item may be added to the call for a special legislative session.

Short-term rental (STR) legislation did not advance.

This session, several bills related to the regulation of STRs were filed but none were successful.

Uniform school start legislation.

Two bills (HB 612 and HB 3846) were filed that would have eliminated the exemption from the uniform school start date for public schools that since 2015 have declared their districts to be “Districts of Innovation” and thereby not subject to uniform school start date requirements. HB 3846 by Rep. Krause (R-Arlington) received a public hearing, but the bill did not advance out of committee. Last session, a similar bill advanced to the House floor, but did not receive sufficient votes to pass.

Mandatory sales price disclosure of real estate transactions.

HB 1101 would have required mandatory sales price disclosures of private property real estate transactions. If passed, this law would have enabled local appraisal districts throughout the state to “chase” recent sales and unreasonably increase commercial and residential property values for purposes of property tax liability. THLA opposes this legislation, and it did not pass.

RELATED PARTY TRANSACTIONS

Related parties are those parties who do not deal with one another at arm's length. A related party transaction is any situation in which an SMG employee is involved in their SMG capacity on the one side and there is a "related party" on the other side. SMG employees should avoid such transactions.

Related parties include:

- An organization of which an SMG employee is an officer, director, or partner;
- An organization of which an SMG employee is the beneficial owner of ten percent (10%) or more of any class of securities;
- Any trust in which an SMG employee has a substantial interest, or serves as trustee or in a similar fiduciary capacity; or
- Any relative of an SMG employee who may significantly influence or be influenced by a business transaction with an organization of which they are an officer, director or partner.

Generally, SMG should not be involved in a related party transaction because it creates similar conflicting pressures as those found in general conflict of interest situations. If any employee believes such a transaction exists or might occur, full disclosure must be made to SMG's Counsel. SMG's Counsel, acting with advice from Senior Management, will decide whether an exception to the policy may be made.

Please refer to the following examples to determine whether or not there is a conflict of interest or related party situation. If there is any doubt, ask for advice.

Examples: Conflict of Interest & Related Party Transactions

The following are examples of conflict of interest and related party situations. If you are involved in or aware of a potential conflict of interest or a related party transaction, you must disclose all of the relevant facts to your Supervisor, SMG's Counsel's Office, or to Internal Audit so that a determination can be made.

Example 1:

An SMG employee's spouse purchases an office supply business which can supply paper, stationery and office equipment to an SMG facility in which the SMG employee works. The SMG employee does not make the purchasing decisions directly, but does have influence on the purchasing decisions.

Analysis: Although there is nothing improper in the spouse's ownership of an office supply store, SMG should not make purchases from it because this would create a conflict of interest. Conflicting pressures may be placed on the employee. On the one hand, potential sales to SMG may be in the best interest of the office supply store. On the other hand, SMG's interest may or may not be best served by purchasing from this particular office supply store.

If purchases were actually made from the office supply store, numerous questions would arise. At what price should the items be purchased? How should return of substandard items be handled? How much of each item should be ordered? What should the payment terms be? The conflict of interest cannot be avoided simply by selling to SMG at a fair or favorable price. The conflict is inherent in the situation because of the spouse's interest in the office supply store.

How could the store establish that all the prices charged are fair? How often would the price have to be monitored? Who would pay the costs of such monitoring? There is no practical way to be sure that the situation will remain trouble free if SMG were to make such purchases.

Example 2:

An Operations Manager employed by an SMG managed facility purchases an equipment rental business together with an SMG client liaison. The business does not rent to SMG and is not competitive with SMG.

Analysis: Here again, the problem is one of conflicting pressures. For example, if the front line Manager must negotiate price relief or an extension of the SMG operating contract term, the Manager will be under conflicting pressures when dealing with the client liaison/partner. On the one hand, the Manager must represent SMG and get the maximum relief possible and perhaps even terminate the contract; on the other hand, tough negotiations may adversely affect the Manager's relationship with the liaison/partner, thereby, perhaps, adversely affecting the joint personal investment.

CONFLICTS OF INTEREST

It is essential that all SMG employees avoid any situation or interest which might interfere with their judgment concerning their responsibilities to SMG and the related municipality.

A conflict of interest exists if an SMG employee or an immediate family member is in a position where they may derive a personal benefit from a company transaction, or when their judgment may be influenced because of a financial or other relationship with a client or supplier.

Conflicts of interest can arise, for example, where employees:

- Have a financial interest, which could affect their personal judgment;
- Gain personal enrichment through access to confidential information; or
- Misuse their position at SMG in a way, which results in personal gain.

A conflict of interest can also arise when an employee has a personal interest, direct or indirect, in any supplier or customer of SMG. An indirect interest would arise if an employee's immediate family member has an interest in a supplier or customer of SMG.

A conflict of interest does not necessarily imply anything improper. It is, simply, a situation in which an SMG employee is or may be under conflicting pressures: the pressure to do what is best for SMG on the one hand and the pressure to do what is best for themselves, or an immediate family member or partner on the other hand.

SMG has determined that once an employee becomes involved in such a situation, they often do a disservice to themselves in benefit to SMG, and, occasionally, an employee does a disservice to SMG in order to benefit themselves. In order to evaluate whether an employee is or may be subject to such conflicting pressures, the Business Conduct Policy requires that the employee disclose both actual and potential situations that may give rise to such a problem.

If an employee thinks they may have a conflict of interest, or is aware of potential conflicts of interest others may have, the potential conflict must be disclosed to SMG's Counsel. A determination will then be made as to whether the interest should be divested or if any other action is appropriate.

An employee or their immediate family member may, however, acquire and hold up to two percent (2%) of the outstanding stock of a corporation which is an SMG supplier or client or which engages in any business in which SMG is engaged, if the stock is available to the general public on a registered securities exchange market.



Debt Management & Bad Debt Write-off Policy

Background

As part of the management of its financial resources, the Irving Convention Center continues to ensure that the most effective cash collection procedures are in place and that income generated is reported correctly. The Irving Convention Center is audited by a 3rd party auditor each year to verify our compliance with income generated and reported as well as collected.

Income to the Convention Center is reported through the Event and Other Income section on the financial statements and is calculated to reflect the income generating activity for that time period, regardless of whether or not the cash has been received yet by the convention center.

Clients of the Irving Convention Center generally pay deposits leading up to the event that cover rent, food and beverage, and any estimated ancillary costs that may be incurred. However, there are certain organizations and state associations, particularly those with history in the facility, that are allowed credit to pay post event in one final settlement. Most events generate revenue by selling tickets or through registration of attendees that allow them to cover the cost of an event. Credit applications are filled out and references checked before issuing credit to most organizations of this nature. Deposit schedule is generally:

- 25% due at signing of contract
- 75% due 30 days prior to event

As part of the contracting process, each client fills out a credit card authorization form that we hold to cover any additional costs or F & B overages that may occur. The client has the option to write a check or have the additional charges paid by the card on file at the conclusion of the event.

While most clients are paid up upon arrival for an event, there are often additional expenses that are incurred during an event and posted to the client's account. These expenses are generally billed to the client post-event to collect or charged to the credit card on file. There are many

types of events that the convention center hosts each year; each come with different financial situations and structures that the convention center has to work through.

Treating income as a bad debt is the final stage of the convention center's debt collection process. To mitigate against the impact of writing off bad debts, the convention center makes an annual provision in the budget referred to as the account for bad debt.

Purpose Statement

The purpose of this document is to outline the policy and procedures that must be followed for any account to be written off to bad debt.

Responsibilities

Responsibility for this policy lies with the General Manager of the Irving Convention Center.

The Finance Director is responsible for the management and administration of the policy. The policy will be reviewed on an annual basis with the external auditors to ensure it reflects current accounting practices and is reflective of the financial risks around income collection faced by the Irving Convention Center.

The Director of Sales and the Director of Events, as well as their respective teams, are responsible for ensuring that the sales information/deposit schedule contained in the contract is correct and payment deadlines are met to reduce the risk of subsequent late payments. They are also required to provide accurate/relevant information and documentation for any expenses and/or costs incurred that will be billed to the client for final settlement.

All inquiries relating to this policy should be directed to the General Manager.

Key Policy Actions

The Irving Convention Center conducts a monthly review of the financial reports as well as a review of the aged receivables. The focus of the review is to look at receivables in the 30-60- and 60-90-day range to determine if/what the issue may be and what the next steps will be to collect the debt.

We first determine if there is a billing issue/dispute that client is waiting to get resolved; if so, management meets with the event manager to determine where we are in that process. We will promptly decide whether an adjustment needs to be made to the final bill or if it is the client's responsibility. If the decision is to make an adjustment to the final bill, then the Event Manager fills out the "Adjustment Form," which is then reviewed and signed by the Sales and Event Managers, Director of Events, and the General Manager.

If the issue/dispute is deemed the client's responsibility, we will notify them of our decision and ask for payment to be made immediately.

At the 60-day mark, the Sales Manager will contact the client to see if there are any issues that may need to be addressed.

At the 90-day mark, if we have not had any communication from the client, the General Manager will send an email to the client asking for payment to be paid immediately. The email also states that if payment is not made by a certain date, the account will be turned over to our attorney.

Every event is different and every situation with a client is different. Our goal is to work through the process in the most effective way possible to avoid any type of write-off. Most of the time it depends on the client's communication with us. We can work with clients in many ways, including making adjustments when appropriate, establishing payment plans, or simply extending time if the client continues to communicate with us.

If there is no response/communication with a client after repeated phone calls or emails, then a decision is made as to what the debt is versus the cost of getting an attorney involved. If it is cost-effective to involve the attorney, then we proceed in that direction.

As the very last resort, if it becomes impossible to collect the debt and is not cost-effective to involve an attorney, then the debt will be written off to the bad debt account. In this case the Adjustment Form must be filled out and signed by the General Manager, Director of Finance, and the Event/Sales Manager for that event and detailed information must be provided as to the steps that were taken to collect the debt.

Calculation of the bad debt provision

A bad debt provision will be determined each year and will be based on previous years' history. The bad debt allowance will be included in the budget planning process in August for fiscal year beginning October 1 each year.

Summary

With a wide variety of events in the facility including conventions, banquets, consumer/public shows, sporting events, assemblies, and meetings, each brings its own set of dynamics as far as payment structure and each is contracted according to what those dynamics are. There is always risk involved, but the goal is always to minimize that risk in the best way possible while putting business on the books. It is very rare that an event or part of an event would ever be written off to bad debt. In most cases we work with the client to formulate a solution that works for both parties and maintains the client relationship.

MINUTES – BOARD AND BUSINESS DEVELOPMENT COMMITTEE

IRVING CONVENTION CENTER VIA ZOOM Friday, March 12, 2021

Those in attendance: Committee Chair Bob Bourgeois, Committee Vice Chair Richard Stewart, Jr; Rose Cannaday, Board Chair Karen Cooperstein, Julia Kang, Clem Lear, Rick Lindsey, Joe Philipp – Committee; Stephanie Fenley-Garcia and Greg Malcolm – Board members; Carol Boyer, Maura Gast and Susan Rose – ICVB Staff; Deputy Mayor Pro Tem and Council Liaison Kyle Taylor – Guest.

Committee Chair Bob Bourgeois called the meeting to order at 9:00 a.m.

Bourgeois asked for any citizen comments and there were none.

Discussion was held on the ICVB Board Officer nominating process. Executive Director Maura Gast reviewed the revised ICVB Bylaws, specifically Article VI – Section 1 – “A slate will be developed by the Board and Business Development Committee for the Board’s action at its November meeting.” The Committee agreed the current process for nominating Board officers has been very informative and adding definition to the process is needed. It was noted the Board Vice Chair is not the Board Chair-Elect by default. The majority agreed there is a disadvantage of having a Board Chair that has not had the experience of being Vice Chair.

Further discussion was held on the structure of the nominating process going forward. It was agreed to define the requirements of holding office, including: time commitment, experience on ICVB Board, leadership capability and interest in holding office. These requirements should be added to the new Board member orientation. It was also agreed that Vice Chair candidates should be those who are interested and willing to become Chair.

ACTION ITEM: Call for candidates at the August ICVB Board meeting for September Committee meeting discussion and nomination. Slate could be introduced at September Board meeting, but no action taken until November. Staff to follow up with City Attorney’s Office on options for how a slate might be recommended.

ACTION ITEM: Staff to draft a job description of what is expected of the Board Chair (all Committee meetings, Chamber Board of Directors meeting, Henry Holmes group, etc.) and “grooming guidelines” to be presented at June Board and Business Development Committee meeting and review and make determination at the September meeting.

The Committee reviewed the 2021 Texas State Legislature session and noted the bill filing deadline is today. The Texas Hotel & Lodging Association Converge on the Capital event is scheduled for March 25 at 3:30 p.m. and is a free event.

There is legislation being discussed that could allow for some uses of Hotel Occupancy Tax toward certain park-type facilities with evidence of room night generation; there would be protections for maintaining CVB funding levels should this legislation move forward. Objective is to make sure the work CVBs do stays protected while putting in uses that can be advantageous.

The Alcohol-to-Go bill passed from the Licensing & Administration Procedures Committee by a 11-0 vote.

Texas Competes is combating discriminatory legislation:

HB 3860/SB1540 – Companion Comprehensive Non-Discrimination Bills. This is fiscally important and the focus is to keep visitors coming to Texas.

Discussion was held on the restriction of lobbying. The ICVB will follow City and State guidelines. The Committee is willing to help amplify the City's message. Deputy Mayor Pro Tem Kyle Taylor to keep the board informed on any updates.

Gast reviewed the American Rescue Plan Act. A copy of the presentation in detail was included as a handout. There is more work to be done. U.S. Travel is continuing to work on the following priorities:

- Extend the PPP deadline through June 30 and provide a third draw loan for the hardest-hit industries. Travel businesses of all sizes still need access to the loans the program provides to keep their doors open and staff employed.
- Pass the Hospitality and Commerce Job Recovery Act. This legislation would accelerate rehiring and drive demand to travel through temporary tax credits.

Discussion was held on Grant funds and if those funds could cut the amount of the loan from the City and if it could help with replenishing Reserves, Business Development Incentive funds and help the ICC with their losses.

It was noted the following agenda items are postponed until the June Committee meeting:

- Related Party Transaction policy for the Irving Convention Center
- Formalizing the Irving Convention Center Bad Debt Policy

Other future meeting topics:

- Legislative Update
- Strategic Plan Update
- Board Officer nominations
- Board Applicant Recruitment Efforts

Bourgeois asked for a motion to approve the December 4, 2020, minutes. On a motion from Board member Rick Lindsey and a second from Board Chair Karen Cooperstein, the motion was unanimously approved.

The next Committee meeting will be held on June 11.

Bourgeois adjourned the meeting at 9:47 a.m.

MARCH 12, 2021

Page 3 of 3

Respectfully submitted,

A handwritten signature in blue ink that reads "Maura Allen Gast". The signature is written in a cursive, flowing style.

Maura Allen Gast, FCDME
Executive Director