

GOVERNMENT CODE

TITLE 4. EXECUTIVE BRANCH

SUBTITLE E-1. EVENT REIMBURSEMENT PROGRAMS

CHAPTER 475. GENERAL PROVISIONS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 475.0001. DEFINITIONS. In this subtitle:

(1) "Endorsing county" means an endorsing county for purposes of Chapter 477, 478, 479, or 480.

(2) "Endorsing municipality" means an endorsing municipality for purposes of Chapter 476, 477, 478, 479, or 480.

(3) "Event" means a game or an event as defined by Chapter 478, 479, or 480.

(4) "Games" means any of the following and includes the events and activities related to the following:

- (A) the College Football Playoff games;
- (B) the Major League Baseball All-Star Game;
- (C) the National Basketball Association All-Star Game;
- (D) the National Collegiate Athletic Association Final Four;
- (E) the National Hockey League All-Star Game;
- (F) the Olympic Games;
- (G) the Pan American Games;
- (H) the Super Bowl;
- (I) the World Cup Soccer Games; or
- (J) the World Games.

(5) "Games support contract" means a joinder undertaking, a joinder agreement, or a similar contract executed by the office and containing terms permitted or required by this subtitle.

(6) "Joinder agreement" means an agreement:

- (A) entered into by the office on behalf of this state and a site selection organization setting out representations and assurances by this state in connection with the selection of a site in this state for a game or event; or

(B) entered into by a local organizing committee, an endorsing municipality, or an endorsing county, or more than one local organizing committee, endorsing municipality, or endorsing county acting collectively, and a site selection organization setting out representations and assurances by each local organizing committee, endorsing municipality, or endorsing county in connection with the selection of a site in this state for a game or event.

(7) "Joinder undertaking" means an agreement:

(A) entered into by the office on behalf of this state and a site selection organization that this state will execute a joinder agreement if the site selection organization selects a site in this state for a game or event; or

(B) entered into by a local organizing committee, an endorsing municipality, or an endorsing county, or more than one local organizing committee, endorsing municipality, or endorsing county acting collectively, and a site selection organization that each local organizing committee, endorsing municipality, or endorsing county will execute a joinder agreement if the site selection organization selects a site in this state for a game or event.

(8) "Local organizing committee" means a nonprofit corporation or the corporation's successor in interest that:

(A) is authorized by an endorsing municipality, endorsing county, or more than one endorsing municipality or county acting collectively to pursue an application and bid on the applicant's behalf to a site selection organization for selection as the site of a game or event; or

(B) with authorization from an endorsing municipality, endorsing county, or more than one endorsing municipality or county acting collectively, executes an agreement with a site selection organization regarding a bid to host a game or event.

(9) "Office" means the Texas Economic Development and Tourism Office within the office of the governor.

(10) "Site selection organization" means a site selection organization as defined by Chapters [477](#), [478](#), and [480](#).

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0002. PURPOSES OF SUBTITLE. The purposes of this subtitle are to:

(1) provide assurances required by a site selection organization sponsoring a game or event; and

(2) provide financing for the costs of:

(A) applying or bidding for selection as the site of a game or event in this state;

(B) making preparations necessary and desirable for conducting a game or event in this state, including costs of the construction or renovation of facilities to the extent authorized by this subtitle; and

(C) conducting a game or event in this state.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0003. LEGISLATIVE FINDINGS. Conducting one or more games or events in this state will:

(1) provide invaluable public visibility throughout the nation or world for this state and the communities where the games or events are held;

(2) encourage and provide major economic benefits to the communities where the games or events are held and to the entire state; and

(3) provide opportunities for local and Texas businesses to create jobs that pay a living wage.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0004. RULES. The office of the governor shall adopt rules consistent with this subtitle to ensure efficient administration of the trust funds established under this subtitle, including rules related to application and receipt requirements.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

SUBCHAPTER B. ACTIONS OF OFFICE AND STATE AGENCIES IN RELATION TO
GAMES

Sec. 475.0051. APPLICABILITY OF SUBCHAPTER. This subchapter does not apply to or otherwise affect an event support contract under Chapter 478, 479, or 480 to which the office is not a party.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0052. REQUEST FOR OFFICE TO ENTER INTO GAMES SUPPORT CONTRACT. (a) The office shall review a request from a local organizing committee, endorsing municipality, or endorsing county that the office, on behalf of this state, enter into a games support contract required by a site selection organization in connection with the committee's, municipality's, or county's bid to host any of the games.

(b) A request under Subsection (a) must be accompanied by:

(1) a general description and summary of the games for which the local organizing committee, endorsing municipality, or endorsing county is seeking a site selection;

(2) a preliminary and general description of the proposal the local organizing committee, endorsing municipality, or endorsing county intends to submit to a site selection organization;

(3) the estimated cost of preparing and submitting the intended proposal;

(4) the local organizing committee's, endorsing municipality's, or endorsing county's intended method of obtaining the money needed for preparing the proposal;

(5) a description by type and approximate amount of the site selection application costs that the local organizing committee, endorsing municipality, or endorsing county intends to pay; and

(6) any other information reasonably requested by the office to assist the office in reviewing the request.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0053. TIME FOR DETERMINATION. The office shall approve or deny a request under Section 475.0052 not later than the 30th day after the date the local organizing committee, endorsing municipality, or endorsing county submits the request.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0054. PREREQUISITE FOR EXECUTION OF GAMES SUPPORT CONTRACT. The office may agree to execute a games support contract only if:

(1) the office determines that:

(A) this state's assurances and obligations under the contract are reasonable; and

(B) any financial commitment of this state will be satisfied exclusively by recourse to the Pan American Games trust fund or the Olympic Games trust fund, as applicable; and

(2) the endorsing municipality or endorsing county has executed an agreement with a site selection organization that contains substantially similar terms.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0055. JOINDER UNDERTAKING TERMS. The office may agree in a joinder undertaking entered into with a site selection organization that the office will:

(1) execute a joinder agreement if the site selection organization selects a site in this state for the games; and

(2) refrain from taking any action after execution of the joinder undertaking that would impair the office's ability to execute the joinder agreement.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0056. JOINDER AGREEMENT TERMS. The office may

agree in a joinder agreement that this state will:

(1) provide or cause to be provided all of the governmental funding, facilities, and other resources specified in the local organizing committee's, endorsing municipality's, or endorsing county's bid to host the games;

(2) be bound by the terms of, cause the local organizing committee, endorsing municipality, or endorsing county to perform, and guarantee performance of the committee's, municipality's, or county's obligations under contracts relating to selecting a site in this state for the games; and

(3) be jointly and severally liable with the local organizing committee, endorsing municipality, or endorsing county for:

(A) an obligation of the committee, municipality, or county to a site selection organization, including an obligation indemnifying the organization against a claim of and liability to a third party arising out of or relating to the games; and

(B) any financial deficit relating to the games.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. [4174](#)), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0057. ADDITIONAL TERMS OF GAMES SUPPORT CONTRACT. A games support contract may contain any additional provision the office requires to carry out the purposes of this subtitle.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. [4174](#)), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0058. REPAYMENT AGREEMENT REQUIRED. (a) Before executing a games support contract, the office must execute an agreement with the local organizing committee, endorsing municipality, or endorsing county requiring the committee, municipality, or county to repay this state any money spent by the office under this subtitle if a site selection organization selects a site for the games in this state in accordance with an application by the committee, municipality, or county.

(b) The local organizing committee, endorsing municipality, or endorsing county will make a repayment under Subsection (a) from any surplus of the committee's, municipality's, or county's money remaining after:

(1) presentation of the games; and

(2) payment of the expenses and obligations incurred by the committee, municipality, or county.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0059. STATE AS ADDITIONAL INSURED. The office may require a local organizing committee, endorsing municipality, or endorsing county to list this state as an additional insured on any insurance policy purchased by the committee, municipality, or county that a site selection organization requires to be in effect in connection with the games.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0060. SUPPORT BY CERTAIN STATE AGENCIES. The Texas Department of Transportation, the Department of Public Safety of the State of Texas, and the Texas Department of Housing and Community Affairs may:

(1) assist a local organizing committee, endorsing municipality, or endorsing county in developing applications and planning for the games; and

(2) enter into a contract or agreement or give assurances related to the presentation of the games.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

SUBCHAPTER C. LOCAL ORGANIZING COMMITTEES

Sec. 475.0101. APPLICABILITY OF OPEN MEETINGS AND OPEN RECORDS LAWS. (a) A local organizing committee and the committee's governing body are subject to Chapters 551 and 552. For purposes of those chapters, the governing body of a local

organizing committee is considered a governmental body as defined by those chapters. For purposes of Chapter 552, the records and information of a local organizing committee are considered public records and public information.

(b) A final bid that a local organizing committee submits to a site selection organization, or a draft of that bid, is excepted from required public disclosure under Chapter 552 until the organization selects the site for the games.

(c) Chapter 551 does not apply to a meeting of a subcommittee of a local organizing committee's governing body if:

(1) the subcommittee consists of not more than five members;

(2) the meeting is not held in a public building;

(3) the subcommittee makes a recording of the meeting proceedings in compliance with Section 551.103, and the committee preserves the recording until the second anniversary of the date the recording is made;

(4) the subcommittee does not discuss or decide any financial matters during the meeting; and

(5) any decision the subcommittee makes will not take effect without the governing body reviewing and officially adopting the decision at a meeting held in compliance with Chapter 551.

(d) A recording made under Subsection (c) is subject to required public disclosure in the manner prescribed by Chapter 552 for a public record.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0102. TAX EXEMPTIONS FOR CERTAIN COMMITTEES. A local organizing committee that is exempt from paying federal income tax under Section 501(c), Internal Revenue Code of 1986, is exempt from:

(1) the sales, excise, and use taxes imposed under Chapter 151, Tax Code;

(2) taxes on the sale, rental, and use of a motor vehicle imposed under Chapter 152, Tax Code;

(3) the hotel occupancy tax imposed under Chapter 156,

Tax Code; and

(4) the franchise tax imposed under Chapter 171, Tax Code.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0103. ETHICS REQUIREMENTS RELATING TO CERTAIN COMMITTEES; FINANCIAL DISCLOSURES. (a) A local organizing committee that submits a request under Section 475.0052 must:

(1) affirm as a part of that request that the committee is in full compliance with the ethical guidelines provided by all contracts entered into and rules adopted by the site selection organization, including the organization's requirements regarding disclosure of any financial interest a director, officer, or senior-level employee of the committee has in any proposed transaction with the committee;

(2) not later than the 15th day of the first month following each calendar quarter, file with the secretary of the endorsing municipality for which the committee submits a request:

(A) a certification that the committee continues to comply with the ethical guidelines described by Subdivision (1); and

(B) a report of contributions to and expenditures by the committee, in the manner described by Subsection (b); and

(3) file with the secretary of the endorsing municipality on April 15 of each year a copy of each financial statement a committee or a member of a committee is required to submit to the United States Olympic Committee during the preceding calendar year.

(b) A report under Subsection (a)(2)(B) must include:

(1) for each contribution made to the local organizing committee:

(A) the contributor's full name and address;

(B) the date of the contribution;

(C) whether the contribution is cash, made by check, or in-kind; and

(D) the amount or market value of the

contribution; and

(2) for each expenditure made by the local organizing committee:

(A) the full name and address of the person who receives payment of the expenditure;

(B) the date of the expenditure;

(C) the amount of the expenditure; and

(D) the purpose of the expenditure.

(c) The endorsing municipality for which a local organizing committee submits a request under Section 475.0052 must have a comprehensive ethics code establishing standards of conduct, disclosure requirements, and enforcement mechanisms relating to municipal officials and employees before the office considers the request.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

SUBCHAPTER D. LOCAL GOVERNMENT CORPORATION IN CERTAIN POPULOUS COUNTIES AS ENDORSING MUNICIPALITY OR COUNTY

Sec. 475.0151. APPLICABILITY. This subchapter applies only to a local government corporation that:

(1) is authorized to collect a municipal hotel occupancy tax; and

(2) is located in a county with a population of 3.3 million or more.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0152. AUTHORITY TO ACT AS ENDORSING MUNICIPALITY OR COUNTY. (a) A local government corporation may act as an endorsing municipality or endorsing county under this subtitle.

(b) Subject to Section 475.0153, a local government corporation acting as an endorsing municipality or endorsing county under this subtitle has all the powers of an endorsing municipality or endorsing county under this subtitle, and any action an endorsing municipality or endorsing county is required to take by

ordinance or order under this subtitle may be taken by order or resolution of the corporation.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0153. DEPOSIT OF MUNICIPAL OR COUNTY TAX REVENUE TO TRUST FUND. (a) A local government corporation acting as an endorsing municipality or endorsing county under this subtitle shall remit for deposit into the trust fund established for the games or event the amounts determined by the office under this subtitle.

(b) The office shall determine the incremental increase in tax receipts attributable to the games or event and related activities under this subtitle based on the amount of taxes imposed by each municipality or county that comprises the corporation and not on the amount of taxes imposed by the corporation.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

Sec. 475.0154. PLEDGE OF SURCHARGES TO GUARANTEE OBLIGATIONS. A local government corporation acting as an endorsing municipality or endorsing county under this subtitle may guarantee the corporation's obligations under a games support contract or event support contract by pledging surcharges from user fees, including parking or ticket fees, charged in connection with the games or event and related activities.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

SUBCHAPTER E. CRIMINAL PENALTIES

Sec. 475.0201. OFFENSE OF BRIBERY. (a) In this section, "benefit" has the meaning assigned by Section 36.01, Penal Code.

(b) A person commits an offense if the person intentionally or knowingly offers, confers, or agrees to confer on another person, or solicits, accepts, or agrees to accept from another person, any benefit as consideration for the recipient's decision,

opinion, recommendation, vote, or other exercise of discretion as a member or employee of a local organizing committee or site selection organization.

(c) It is a defense to prosecution under Subsection (b) that the benefit conferred is a meal or entertainment reported under Section [475.0103\(a\)\(2\)\(B\)](#).

(d) It is not a defense to prosecution under Subsection (b) that a person whom the actor sought to influence was not qualified to act as the actor intended the person to act.

(e) It is not a defense to prosecution under Subsection (b) that the benefit is not offered or conferred or that the benefit is not solicited or accepted until after:

(1) the decision, opinion, recommendation, vote, or other exercise of discretion has occurred; or

(2) the person whom the actor sought to influence is no longer a member of the local organizing committee or a site selection organization.

(f) An offense under this section is a felony of the second degree.

Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. [4174](#)), Sec. 1.01, eff. April 1, 2021.