

GOVERNMENT CODE

TITLE 4. EXECUTIVE BRANCH

SUBTITLE E-1. EVENT REIMBURSEMENT PROGRAMS

CHAPTER 477. OLYMPIC GAMES TRUST FUND

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 477.0001. DEFINITIONS. In this chapter:

(1) "Endorsing county" means a county that:

(A) contains all or part of a municipality described by Section [477.0002](#); or

(B) is adjacent to a county described by Paragraph (A).

(2) "Endorsing municipality" means a municipality that authorizes a bid by a local organizing committee for selection of the municipality as the site of the games.

(3) "Games" means the Olympic Games.

(4) "Site selection organization" means:

(A) the International Olympic Committee; or

(B) the United States Olympic Committee.

(5) "Trust fund" means the Olympic Games trust fund established by this chapter.

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

Sec. 477.0002. ELIGIBILITY AS ENDORSING MUNICIPALITY. Only a municipality with a population of 850,000 or more is eligible as an endorsing municipality under this chapter.

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

SUBCHAPTER B. STATE ACTIONS RELATING TO GAMES

Sec. 477.0051. DETERMINATION OF INCREMENTAL INCREASE IN CERTAIN TAX RECEIPTS. (a) After a site selection organization selects a site for the games in this state in accordance with an application by a local organizing committee, the office shall

determine for each subsequent calendar quarter the incremental increases in the following tax receipts that the office determines are directly attributable to the preparation for and presentation of the games and related events:

(1) the receipts to this state from the taxes imposed under Chapters [151](#), [152](#), [156](#), and [183](#), Tax Code, and under Title 5, Alcoholic Beverage Code, in the market areas designated under Section [477.0053](#);

(2) the receipts collected by this state for each endorsing municipality from the sales and use tax imposed by the municipality under Section [321.101\(a\)](#), Tax Code, and the mixed beverage tax revenue to be received by the municipality under Section [183.051\(b\)](#), Tax Code;

(3) the receipts collected by this state for each endorsing county from the sales and use tax imposed by the county under Section [323.101\(a\)](#), Tax Code, and the mixed beverage tax revenue received by the county under Section [183.051\(b\)](#), Tax Code;

(4) the receipts collected by each endorsing municipality from the hotel occupancy tax imposed under Chapter [351](#), Tax Code; and

(5) the receipts collected by each endorsing county from the hotel occupancy tax imposed under Chapter [352](#), Tax Code.

(b) The office shall make the determination required by Subsection (a) in accordance with procedures the office develops. Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. [4174](#)), Sec. 1.01, eff. April 1, 2021.

Sec. 477.0052. TIME FOR DETERMINATION. The office shall determine the incremental increase in tax receipts under Section [477.0051](#) after the first occurrence of a measurable economic impact in this state resulting from the preparation for the games, as determined by the office, but not later than one year before the scheduled opening event of the games.

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

Sec. 477.0053. DESIGNATION OF MARKET AREA. (a) For

purposes of Section 477.0051(a)(1), the office shall designate as a market area for the games each area in which the office determines there is a reasonable likelihood of measurable economic impact directly attributable to the preparation for and presentation of the games and related events. The office shall include areas likely to provide venues, accommodations, and services in connection with the games based on the proposal the local organizing committee provides under Section 475.0052.

(b) The office shall determine the geographic boundaries of each market area.

(c) Each endorsing municipality or endorsing county selected as the site for the games must be included in a market area for the games.

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

Sec. 477.0054. ESTIMATE OF TAX REVENUE CREDITED TO TRUST FUND. (a) Before August 31 of the year that is 12 years before the year the games would be held in this state, or as soon as practicable after that date, the office shall provide an estimate of the total amount of municipal, county, and state tax revenue that would be transferred or deposited to the trust fund if the games were held in this state at a site selected in accordance with an application by a local organizing committee.

(b) The office shall provide the estimate on request to a local organizing committee.

(c) A local organizing committee may submit the office's estimate to a site selection organization.

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

#### SUBCHAPTER C. TRUST FUND ESTABLISHMENT, CONTRIBUTION, AND LIMITATION

Sec. 477.0101. OLYMPIC GAMES TRUST FUND. The Olympic Games trust fund is established outside the treasury. The trust fund is held in trust by the comptroller for the administration of this

subtitle.

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

Sec. 477.0102. DEPOSIT OF MUNICIPAL AND COUNTY TAX REVENUE.

(a) Subject to Section 477.0104, each endorsing municipality or endorsing county shall remit to the comptroller and the comptroller, at the direction of the office, quarterly shall deposit to the trust fund the amount of the municipality's or county's hotel occupancy tax revenue determined under Section 477.0051(a)(4) or (5), as applicable.

(b) To guarantee the joint obligations of this state and an endorsing municipality or endorsing county under a games support contract and this subtitle, subject to Section 477.0203, the comptroller, at the direction of the office, shall retain the amount of sales and use tax revenue and mixed beverage tax revenue determined under Section 477.0051(a)(2) or (3) from the amounts otherwise required to be sent to the municipality under Section 183.051(b) or 321.502, Tax Code, or to the county under Section 183.051(b) or 323.502, Tax Code. Subject to Sections 477.0104 and 477.0203, the comptroller, at the direction of the office, shall deposit the retained tax revenue to the trust fund for the same calendar quarter as under Subsection (a).

(c) The comptroller shall begin retaining municipal and county sales and use tax revenue and mixed beverage tax revenue with the first distribution of that tax revenue that occurs after the date the office makes the determination under Section 477.0051(a)(2) or (3).

(d) The comptroller shall discontinue retaining municipal and county sales and use tax revenue and mixed beverage tax revenue on the earlier of:

(1) the end of the third calendar month following the month in which the closing event of the games occurs; or

(2) the date the amount of municipal and county sales and use tax revenue and mixed beverage tax revenue in the trust fund equals 14 percent of the maximum amount of municipal, county, and state tax revenue that may be transferred or deposited to the trust

fund under Section 477.0104.

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

Sec. 477.0103. STATE TAX REVENUE. (a) At the time the comptroller deposits to the trust fund the municipal and county tax revenue under Section 477.0102(b), the comptroller shall transfer to the trust fund the state tax revenue determined under Section 477.0051(a)(1) for the quarter.

(b) The comptroller shall discontinue transferring the amount of state tax revenue determined under Section 477.0051(a)(1) on the earlier of:

(1) the end of the third calendar month following the month in which the closing event of the games occurs; or

(2) the date the amount of state revenue in the trust fund equals 86 percent of the maximum amount of municipal, county, and state tax revenue that may be transferred or deposited to the trust fund under Section 477.0104.

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

Sec. 477.0104. LIMITATION ON TRANSFERS AND DEPOSITS TO TRUST FUND. The total amount of municipal, county, and state tax revenue transferred or deposited to the trust fund may not exceed \$100 million.

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

#### SUBCHAPTER D. DISBURSEMENTS FROM TRUST FUND

Sec. 477.0151. DISBURSEMENT WITHOUT APPROPRIATION. Money in the trust fund may be spent by the office without appropriation only as provided by this subtitle.

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

Sec. 477.0152. DISBURSEMENT FROM TRUST FUND. (a) The office

may make a disbursement from the trust fund only if the office certifies that the disbursement is for a purpose for which this state and each endorsing municipality and endorsing county are jointly obligated under a games support contract or another agreement providing assurances from the office or an endorsing municipality or endorsing county to a site selection organization.

(b) On a certification described by Subsection (a), the office shall satisfy the obligation proportionately from the state and municipal or county revenue in the trust fund.

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

Sec. 477.0153. ALLOWABLE EXPENSES. The office may use money in the trust fund only to fulfill joint obligations of this state and each endorsing municipality and endorsing county to a site selection organization under a games support contract or another agreement providing assurances from the office or the municipality or county to a site selection organization.

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

Sec. 477.0154. PROHIBITED DISBURSEMENT. The office may not make a disbursement from the trust fund that the office determines would be used to solicit the relocation of a professional sports franchise located in this state.

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

Sec. 477.0155. TRANSFER AND REMITTANCE OF REMAINING TRUST FUND MONEY. (a) Two years after the closing event of the games, the office shall transfer to the general revenue fund the amount of state revenue remaining in the trust fund plus any interest earned on that state revenue.

(b) The office shall remit to each endorsing entity in proportion to the amount contributed by the entity any money remaining in the trust fund after the required amount is transferred under Subsection (a).

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

SUBCHAPTER E. LOCAL POWERS AND DUTIES RELATING TO GAMES

Sec. 477.0201. REQUIRED INFORMATION. (a) A local organizing committee shall provide information required by the office to fulfill the office's duties under this subtitle, including:

(1) annual audited statements of any committee financial records required by a site selection organization; and

(2) data obtained by the committee relating to:

(A) attendance at the games; and

(B) the economic impact of the games.

(b) A local organizing committee must provide any annual audited financial statement required by the office not later than the end of the fourth month after the last day of the period covered by the financial statement.

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

Sec. 477.0202. PLEDGE OF SURCHARGES TO GUARANTEE OBLIGATIONS. An endorsing municipality or endorsing county may guarantee its obligations under a games support contract and this subtitle by pledging, in addition to sales and use tax revenue, mixed beverage tax revenue, and hotel occupancy tax revenue retained under Section [477.0102](#), surcharges from user fees charged in connection with the presentation of the games, including parking or ticket fees.

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

Sec. 477.0203. MUNICIPAL OR COUNTY ELECTION. (a) An endorsing municipality or endorsing county must hold an election in the municipality or county to determine whether the municipality or county may contribute a portion of its sales and use taxes to the trust fund under this chapter. The election must be held on a

uniform election date before the date a site selection organization requires the endorsing municipality or endorsing county and the state to enter into a joinder undertaking relating to the applicable games.

(b) If an endorsing municipality or endorsing county is required to hold an election under this section and the contribution of a portion of the municipality's or county's sales and use taxes to the trust fund under this chapter is not approved by a majority of the voters voting in the election:

(1) the comptroller may not establish the trust fund under this chapter, may not retain the municipality's or county's tax revenue under Section 477.0102 from amounts otherwise required to be sent to that municipality or county, and may not transfer any state tax revenue into the trust fund;

(2) the office is not required to determine the incremental increase in municipal, county, or state tax revenue under Section 477.0051; and

(3) the office may not enter into a games support contract relating to the games for which the municipality or county has authorized a bid on its behalf.

(c) Notwithstanding any other provisions of this subtitle, an endorsing municipality or endorsing county is not required to hold an election to contribute its mixed beverage tax revenue or its hotel occupancy tax revenue to the trust fund under this chapter. Added by Acts 2019, 86th Leg., R.S., Ch. 301 (H.B. 4174), Sec. 1.01, eff. April 1, 2021.

#### SUBCHAPTER F. LIMITATIONS ON JOINT LIABILITY

Sec. 477.0251. LIMITATION AMOUNTS. The joint liability of this state and an endorsing municipality or endorsing county under a joinder agreement and any other games support contracts entered into under this subtitle may not exceed the lesser of:

(1) \$100 million; or

(2) the total amount of revenue transferred or deposited to the trust fund and interest earned on the trust fund.

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



eff. April 1, 2021.