

# **HOTEL OCCUPANCY TAX USE GUIDELINES UNDER TEXAS STATE LAW AND FUNDING APPLICATION FORM**

**State Law:** By law of the State of Texas, the County of Orange collects a Hotel Occupancy Tax (HOT) from hotels, motels, and bed & breakfasts and inns. Under state law, the revenue from the HOT may be used only to directly promote tourism and the convention and hotel industry. **Chapter 352 of the Tax Code states that the use of HOT funds is limited to:**

- i) **Convention Centers and Visitor Information Centers:** the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing operation and maintenance of convention center facilities or visitor information centers, or both;
- ii) **Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
- iii) **Advertising, Solicitations and Promotions that Directly Promote Tourism and the Hotel and Convention Industry:** advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;
- iv) **Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry:** that the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms, and
- v) **Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.
- vi) **Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the county.
- vii) **Certain Portions of Sporting Facilities:** Expenses for a certain percentage of a facilities patrons that are directly contributing to increased local hotel activity.
- viii) **Shuttle Services for Convention Activities:** Shuttle services for an event is an eligible expense provided the shuttle services begins or terminates at a local hotel facility.

**Supplemental Information To Include With Application:** Along with the application, if available, please submit the following:

- \_\_\_\_\_ Proposed Marketing Plan for Funded Event
- \_\_\_\_\_ Schedule of Activities or Events Relating to the Funded Project

Submit to: Bobby Fillyaw  
1201 Childers Road, Orange, TX 77630  
(409) 883-7770

# Application

## *Organization Information*

Date: \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_

Web Site Address for Event or Sponsoring Entity \_\_\_\_\_

Is your organization:    Non-Profit \_\_\_\_\_                      Private/For Profit \_\_\_\_\_

Tax ID #: \_\_\_\_\_ Entity's Creation Date: \_\_\_\_\_

Purpose of your organization: \_\_\_\_\_

Name of Event or Project \_\_\_\_\_

Date of Event or Project: \_\_\_\_\_

Primary Location of Event or Project: \_\_\_\_\_

Amount Requested: \_\_\_\_\_

How will the funds be used: \_\_\_\_\_

Primary Purpose of Funded Activity/Facility: \_\_\_\_\_

**Percentage of Hotel Tax Support of Related Costs**

\_\_\_\_\_ Note Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

\_\_\_\_\_ Note Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

\_\_\_\_\_ Note Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities \_\_\_\_\_

**Check Which Categories Apply to Funding Request and Amount Requested Under Each Category:**

**1. Convention Center or Visitor Information Center:** construction, improvement, equipping, repairing operation and maintenance of convention center facilities or visitor information centers, or both  
\_\_\_\_\_

**2. Registration of Convention Delegates:** furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants; \_\_\_\_\_

**3. Advertising, Solicitations, Promotional programs to attract tourists and convention delegates** or registrants to the county. \_\_\_\_\_

**4. Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;  
\_\_\_\_\_

**5. Historical restoration and preservation projects or activities or advertising and conducting solicitation** and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums; \_\_\_\_\_  
\_\_\_\_\_

**Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the county.** \_\_\_\_\_

**Sporting Related Event Funding:**

If the event is a sporting related function/facility: How many individuals are expected to participate?  
\_\_\_\_\_

If the event is a sporting related function/facility: How many of the participants are expected to be from another city or county?  
\_\_\_\_\_

If the event is a sporting related function/facility: Quantify how the funded activity will substantially increase economic activity at hotel and motels within the city or its vicinity?  
\_\_\_\_\_

**Questions for All Funding Requests:**

How many years have you held this Event or Project: \_\_\_\_\_

Expected Attendance: \_\_\_\_\_

How many people attending the Event or Project will use \_\_\_\_\_ (fill in name of your city) hotels, motels or bed & breakfasts?

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How many nights will they stay: \_\_\_\_\_

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels: \_\_\_\_\_

Please list other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from HOT and the number of hotel rooms used:

City	Month/Year Held	Assistance Amount	Number of Hotel Rooms Used

How will you measure the impact of your event on area hotel activity?  
\_\_\_\_\_  
\_\_\_\_\_

Please list other organization, government entities and grants that have offered financial support to your project: \_\_\_\_\_

Please check all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Paid Advertising \_\_\_\_\_ Newspaper \_\_\_\_\_ Radio \_\_\_\_\_ TV \_\_\_\_\_  
Press Releases to Media \_\_\_\_\_ Direct Mailing to out of town recipients \_\_\_\_\_  
Other \_\_\_\_\_

What areas does your advertising and promotion reach:  
\_\_\_\_\_

What number of individuals will your proposed marketing reach that are located in another city or county?  
\_\_\_\_\_

(If a permanent facility (e.g. museum, visitor center)  
Expected Attendance Monthly/Annually: \_\_\_\_\_ (Please note percentage of those in Attendance that are Staying at Area Hotels/Lodging Facilities: \_\_\_\_\_