

\*Sponsorship has changed since the bill was introduced

House Engrossed

tourism marketing authorities.

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
First Regular Session  
2021

# HOUSE BILL 2161

AN ACT

AMENDING TITLE 9, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 14; AMENDING TITLE 11, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 15; RELATING TO TOURISM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, Arizona Revised Statutes, is amended by adding  
3 chapter 14, to read:

4 CHAPTER 14

5 TOURISM MARKETING AUTHORITY

6 ARTICLE 1. GENERAL PROVISIONS

7 9-1501. Definitions

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "AUTHORITY" MEANS A TOURISM MARKETING AUTHORITY THAT IS FORMED  
10 PURSUANT TO THIS CHAPTER.

11 2. "BOARD" MEANS THE BOARD OF DIRECTORS OF A TOURISM MARKETING  
12 AUTHORITY.

13 3. "GOVERNING BODY" MEANS THE BODY OR BOARD THAT BY LAW IS  
14 CONSTITUTED AS THE LEGISLATIVE DEPARTMENT OF THE MUNICIPALITY OR COUNTY.

15 4. "MUNICIPALITY" MEANS A CITY OR TOWN.

16 5. "TRANSIENT LODGING ROOM":

17 (a) MEANS A ROOM THAT IS INTENDED FOR TRANSIENT OCCUPANCY IN A  
18 HOTEL OR MOTEL, INCLUDING AN INN, TOURIST HOME OR HOUSE, DUDE RANCH OR  
19 RESORT.

20 (b) DOES NOT INCLUDE LODGING ACCOMMODATIONS, WHETHER RENTED THROUGH  
21 AN ONLINE LODGING MARKETPLACE AS DEFINED IN SECTION 42-5076 OR OTHERWISE,  
22 AND THAT ARE EITHER OF THE FOLLOWING:

23 (i) OCCUPIED BY THE OWNER OF THE PROPERTY AS THE OWNER'S PRIMARY  
24 RESIDENCE AND CLASSIFIED AS CLASS THREE PROPERTY PURSUANT TO SECTION  
25 42-12003.

26 (ii) RESIDENTIAL PROPERTY THAT IS LEASED OR RENTED PURSUANT TO  
27 SECTION 42-12004, SUBSECTION A, PARAGRAPH 1, 2, 3, 4, 5, 7, 8, 9 OR 10.

28 9-1502. Petition; approval; formation

29 A. ON PRESENTATION OF A PETITION PURSUANT TO THIS SECTION, THE  
30 GOVERNING BODY OF ONE OR MORE MUNICIPALITIES OR ONE OR MORE MUNICIPALITIES  
31 AND A COUNTY WITH A POPULATION OF LESS THAN TWO MILLION PERSONS MAY ADOPT  
32 A RESOLUTION FORMING A TOURISM MARKETING AUTHORITY CONSISTING OF THE  
33 PROPERTY WITHIN THE CORPORATE BOUNDARIES OF THE AUTHORITY AS DESCRIBED IN  
34 THE PETITION. THE PETITION FOR THE FORMATION OF THE AUTHORITY SHALL  
35 INCLUDE AND IDENTIFY THE FOLLOWING:

36 1. THE GEOGRAPHIC BOUNDARIES OF THE AUTHORITY.

37 2. THE NONPROFIT TOURISM PROMOTION ORGANIZATION THAT THE  
38 MUNICIPALITY AND COUNTY, IF APPLICABLE, WILL CONTRACT WITH TO PROVIDE THE  
39 TOURISM MARKETING SERVICES FOR THE AUTHORITY.

40 3. A STATEMENT THAT THE TOURISM MARKETING AUTHORITY WILL PROMOTE  
41 AND ENHANCE TOURISM IN THE AUTHORITY.

42 4. THE AMOUNT OF THE ASSESSMENT STATED IN DOLLARS PER ROOM PER  
43 NIGHT ON THE TRANSIENT LODGING ROOMS WITHIN THE BOUNDARIES OF THE  
44 AUTHORITY AND THE TRANSIENT LODGING FACILITIES TO BE ASSESSED.

1 5. A DESCRIPTION OF THE AUTHORITY'S OBLIGATION TO REPORT ANNUALLY  
2 TO THE GOVERNING BODY OF EACH MUNICIPALITY AND COUNTY THAT IS  
3 PARTICIPATING IN THE AUTHORITY.

4 6. A STATEMENT THAT THE AUTHORITY MAY BE TERMINATED BY PETITION OF  
5 THE TRANSIENT LODGING ROOM OWNERS OR LEGALLY AUTHORIZED REPRESENTATIVES  
6 AND SHALL TERMINATE AFTER TEN YEARS UNLESS RENEWED BY FURTHER ACTION BY  
7 PETITION TO AND APPROVAL OF ONE OR MORE OF THE GOVERNING BODIES  
8 PARTICIPATING IN THE AUTHORITY.

9 B. IF A PETITION PRESCRIBED BY SUBSECTION A OF THIS SECTION IS  
10 SIGNED BY THE OWNERS OR LEGALLY AUTHORIZED REPRESENTATIVES OF AT LEAST  
11 SIXTY-SEVEN PERCENT OF THE TRANSIENT LODGING ROOMS WITHIN THE GEOGRAPHIC  
12 AREA OF THE AUTHORITY, AND INCLUDES TWO OR MORE PROPERTIES WITH TRANSIENT  
13 LODGING ROOMS, THE GOVERNING BODY OF EACH PARTICIPATING MUNICIPALITY AND  
14 COUNTY BY AFFIRMATIVE VOTE MAY APPROVE THE FORMATION OF THE AUTHORITY. ON  
15 APPROVAL OF EACH PARTICIPATING MUNICIPALITY AND COUNTY, THE AUTHORITY IS  
16 ESTABLISHED.

17 9-1503. Authority powers and duties; contracts; assessments

18 A. ON ESTABLISHMENT OF THE AUTHORITY, THE GOVERNING BODY OF EACH  
19 MUNICIPALITY AND COUNTY PARTICIPATING IN THE AUTHORITY SHALL:

20 1. CONTRACT WITH A RECOGNIZED TOURISM PROMOTION AGENCY IN THE  
21 MUNICIPALITY AND COUNTY THAT IS A NONPROFIT CORPORATION EXEMPT FROM  
22 TAXATION UNDER SECTION 501(c)(6) OF THE INTERNAL REVENUE CODE AND THAT HAS  
23 BEEN IN CONTINUOUS EXISTENCE FOR AT LEAST FIVE YEARS. IF THERE IS NO  
24 RECOGNIZED TOURISM PROMOTION AGENCY IN THE MUNICIPALITY THAT HAS BEEN IN  
25 CONTINUOUS EXISTENCE FOR THE PRECEDING FIVE YEARS, THE MUNICIPALITY SHALL  
26 CONTRACT WITH A RECOGNIZED TOURISM PROMOTION AGENCY IN THE MUNICIPALITY  
27 AND COUNTY THAT IS A NONPROFIT CORPORATION EXEMPT FROM TAXATION UNDER  
28 SECTION 501(c)(6) OF THE INTERNAL REVENUE CODE AND THAT HAS BEEN IN  
29 CONTINUOUS EXISTENCE FOR AT LEAST TWO YEARS. IF THERE IS NO RECOGNIZED  
30 TOURISM PROMOTION AGENCY IN THE MUNICIPALITY, THE MUNICIPALITY MAY  
31 CONTRACT WITH THE MUNICIPALITY'S TOURISM PROMOTION OFFICE. THE CONTRACT  
32 SHALL PROVIDE THAT THE MUNICIPALITY AND ANY PARTICIPATING COUNTY SHALL  
33 DISTRIBUTE TO THE RECOGNIZED TOURISM PROMOTION AGENCY ALL MONIES THAT ARE  
34 RECEIVED FROM ASSESSMENTS COLLECTED PURSUANT TO THIS CHAPTER.

35 2. ENTER INTO INTERGOVERNMENTAL AGREEMENTS AS PRESCRIBED IN TITLE  
36 11, CHAPTER 7, ARTICLE 3 FOR THE PURPOSES OF SUPPORTING THE AUTHORITY.

37 B. THE AUTHORITY SHALL ESTABLISH, CHARGE AND COLLECT ASSESSMENTS ON  
38 TRANSIENT LODGING ROOMS. THE AUTHORITY MAY LEVY AN ASSESSMENT OF NOT MORE  
39 THAN \$5 PER ROOM SOLD PER NIGHT ON THE TRANSIENT LODGING ROOMS IN THE  
40 AUTHORITY. THE ASSESSMENT RATE OR RATES MAY BE TIERED BASED ON THE ANNUAL  
41 AVERAGE DAILY ROOM RATE FOR THE AFFECTED TRANSIENT LODGING.

42 C. THE TRANSIENT LODGING ROOM OWNER OR LEGALLY AUTHORIZED  
43 REPRESENTATIVE SHALL PAY THE ASSESSMENT TO THE DEPARTMENT OF REVENUE AT  
44 THE SAME TIME AS PAYING THE TRANSACTION PRIVILEGE TAX UNDER SECTION  
45 42-5014. THE ASSESSMENT SHALL BE LEVIED UNDER THIS SECTION BEGINNING ON

1 THE FIRST DAY OF THE FIRST MONTH BEGINNING NINETY DAYS AFTER THE AUTHORITY  
2 IS ESTABLISHED. UNLESS THE CONTEXT OTHERWISE REQUIRES, SECTION 42-6102  
3 GOVERNS THE ADMINISTRATION OF THE ASSESSMENT. IF THE TRANSIENT LODGING  
4 ROOM OWNER FOR ANY REASON DOES NOT PAY TRANSACTION PRIVILEGE TAX, THE  
5 ASSESSMENT IMPOSED BY THIS CHAPTER IS DUE AND PAYABLE TO THE DEPARTMENT,  
6 AND IS DELINQUENT IF NOT PAID, AS PROVIDED IN SECTION 42-5014,  
7 SUBSECTION A. THE DEPARTMENT SHALL REPORT TO THE STATE TREASURER THE  
8 AMOUNT OF MONIES COLLECTED PURSUANT TO THIS SUBSECTION.

9 D. THE STATE TREASURER SHALL TRANSMIT TO THE TREASURER OR OFFICER  
10 EXERCISING THE FUNCTIONS OF TREASURER OF THE PARTICIPATING MUNICIPALITY OR  
11 COUNTY, IF APPLICABLE, EACH MONTH, THE AMOUNT COLLECTED FROM PROPERTIES  
12 WITHIN THE AUTHORITY.

13 E. THE BOARD AND ANY MUNICIPALITY OR COUNTY THAT IS PARTICIPATING  
14 IN THE AUTHORITY SHALL REPORT TO THE DEPARTMENT OF REVENUE THE ASSESSMENT  
15 AND SUPPLY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER WITH ALL  
16 REQUESTED INFORMATION NECESSARY TO ADMINISTER THIS SECTION.

17 9-1504. Authority governance; limitation; meetings; report

18 A. THE BOARD OF DIRECTORS OF THE RECOGNIZED TOURISM PROMOTION  
19 AGENCY SHALL GOVERN THE AUTHORITY AND AT LEAST ONE MEMBER OF ONE OR MORE  
20 OF THE GOVERNING BODIES SHALL PARTICIPATE IN THE AUTHORITY. THE AUTHORITY  
21 MAY EMPLOY STAFF AND CONSULTANTS, REIMBURSE A MUNICIPALITY OR COUNTY FOR  
22 STAFF, SERVICES AND FACILITIES SUPPLIED BY THE MUNICIPALITY OR COUNTY,  
23 ENTER INTO CONTRACTS AND ACCEPT GRANTS.

24 B. THE AUTHORITY MAY NOT FINANCE OR FACILITATE THE ACQUISITION,  
25 MAINTENANCE, CONSTRUCTION OR OPERATION OF A HOTEL, MOTEL, RESORT OR OTHER  
26 TRANSIENT LODGING OR ANY SPORTS OR ENTERTAINMENT FACILITY.

27 C. THE AUTHORITY AND ITS BOARD SHALL MAINTAIN THE RECORDS OF THE  
28 AUTHORITY, INCLUDING RECORDS OF ITS ACCOUNTS SHOWING ALL MONIES RECEIVED  
29 AND DISBURSED AND ITS ANNUAL BUDGET, AND SHALL KEEP THE AUTHORITY'S MONIES  
30 AND OPERATIONS SEPARATE FROM THE TOURISM PROMOTION AGENCY'S OTHER MONIES  
31 AND ACTIVITIES. THE BOARD SHALL COMPLY WITH TITLE 38, CHAPTER 3, ARTICLE  
32 3.1 AND TITLE 39, CHAPTER 1.

33 D. THE BOARD SHALL REPORT AT LEAST ANNUALLY TO THE GOVERNING BODIES  
34 OF THE PARTICIPATING MUNICIPALITIES AND COUNTY ON THE ACTIVITIES AND  
35 EXPENDITURES OF THE AUTHORITY AND THE IMPACTS OF THE AUTHORITY'S  
36 EXPENDITURES AND ACTIVITIES.

37 9-1505. Termination; petition; renewal; modification of  
38 boundaries

39 A. AN AUTHORITY MAY BE TERMINATED AT ANY TIME ON PRESENTATION OF A  
40 PETITION THAT IS SIGNED BY THE OWNERS OR LEGALLY AUTHORIZED  
41 REPRESENTATIVES OF AT LEAST FIFTY-ONE PERCENT OF THE TRANSIENT LODGING  
42 ROOMS WITHIN THE GEOGRAPHIC AREA OF THE AUTHORITY. ON RECEIPT OF A  
43 PETITION, THE GOVERNING BODY OF EACH PARTICIPATING MUNICIPALITY AND COUNTY  
44 SHALL TERMINATE ITS PARTICIPATION IN THE AUTHORITY AND NOTIFY THE  
45 DEPARTMENT OF REVENUE, WHICH SHALL CEASE COLLECTING ANY ASSESSMENT.

1 B. AN AUTHORITY SHALL TERMINATE TEN YEARS AFTER ITS FORMATION  
2 UNLESS ONE OR MORE MUNICIPALITIES OR ONE OR MORE MUNICIPALITIES AND A  
3 COUNTY BY PETITION AS PRESCRIBED BY SECTION 9-1502 AND BY RESOLUTION  
4 APPROVE THE RENEWAL OF THE AUTHORITY BEFORE ITS TERMINATION. AN AUTHORITY  
5 MAY BE RENEWED AND ITS BOUNDARIES MODIFIED IF FEWER THAN ALL OF THE  
6 ORIGINAL ENTITIES RESOLVE TO RENEW THEIR PARTICIPATION IN THE AUTHORITY  
7 EXCEPT THAT AN AUTHORITY MUST INCLUDE AT LEAST ONE MUNICIPALITY. ON  
8 APPROVAL OF ONE OR MORE GOVERNING BODIES' RESOLUTIONS, THE AUTHORITY IS  
9 RENEWED FOR TEN ADDITIONAL YEARS. AN AUTHORITY MAY CONTINUE TO BE RENEWED  
10 EVERY TEN YEARS THEREAFTER.

11 Sec. 2. Title 11, Arizona Revised Statutes, is amended by adding  
12 chapter 15, to read:

13 CHAPTER 15  
14 TOURISM MARKETING AUTHORITY  
15 ARTICLE 1. GENERAL PROVISIONS

16 11-2001. Definitions

17 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

18 1. "AUTHORITY" MEANS A TOURISM MARKETING AUTHORITY THAT IS FORMED  
19 PURSUANT TO THIS CHAPTER.

20 2. "BOARD" MEANS THE BOARD OF DIRECTORS OF A TOURISM MARKETING  
21 AUTHORITY.

22 3. "GOVERNING BODY" MEANS THE BOARD OF SUPERVISORS OF A COUNTY.

23 4. "TRANSIENT LODGING ROOM":

24 (a) MEANS A ROOM THAT IS INTENDED FOR TRANSIENT OCCUPANCY IN A  
25 HOTEL OR MOTEL, INCLUDING AN INN, TOURIST HOME OR HOUSE, DUDE RANCH OR  
26 RESORT.

27 (b) DOES NOT INCLUDE LODGING ACCOMMODATIONS, WHETHER RENTED THROUGH  
28 AN ONLINE LODGING MARKETPLACE AS DEFINED IN SECTION 42-5076 OR OTHERWISE,  
29 AND THAT ARE EITHER OF THE FOLLOWING:

30 (i) OCCUPIED BY THE OWNER OF THE PROPERTY AS THE OWNER'S PRIMARY  
31 RESIDENCE AND CLASSIFIED AS CLASS THREE PROPERTY PURSUANT TO SECTION  
32 42-12003.

33 (ii) RESIDENTIAL PROPERTY THAT IS LEASED OR RENTED PURSUANT TO  
34 SECTION 42-12004, SUBSECTION A, PARAGRAPH 1, 2, 3, 4, 5, 7, 8, 9 OR 10.

35 11-2002. Petition; approval; formation

36 A. ON PRESENTATION OF A PETITION PURSUANT TO THIS SECTION, THE  
37 GOVERNING BODY OF A COUNTY WITH A POPULATION OF LESS THAN TWO MILLION  
38 PERSONS MAY ADOPT A RESOLUTION FORMING A TOURISM MARKETING AUTHORITY  
39 CONSISTING OF ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THE COUNTY.  
40 THE PETITION FOR THE FORMATION OF THE AUTHORITY SHALL INCLUDE AND IDENTIFY  
41 THE FOLLOWING:

42 1. THE GEOGRAPHIC BOUNDARIES OF THE AUTHORITY.

43 2. THE NONPROFIT TOURISM PROMOTION ORGANIZATION THAT THE COUNTY  
44 WILL CONTRACT WITH TO PROVIDE THE TOURISM MARKETING SERVICES FOR THE  
45 AUTHORITY.

1           3. A STATEMENT THAT THE TOURISM MARKETING AUTHORITY WILL PROMOTE  
2 AND ENHANCE TOURISM IN THE AUTHORITY.

3           4. THE AMOUNT OF THE ASSESSMENT STATED IN DOLLARS PER ROOM PER  
4 NIGHT ON THE TRANSIENT LODGING ROOMS WITHIN THE BOUNDARIES OF THE  
5 AUTHORITY AND THE TRANSIENT LODGING FACILITIES TO BE ASSESSED.

6           5. A DESCRIPTION OF THE AUTHORITY'S OBLIGATION TO REPORT ANNUALLY  
7 TO THE GOVERNING BODY OF THE COUNTY THAT IS PARTICIPATING IN THE  
8 AUTHORITY.

9           6. A STATEMENT THAT THE AUTHORITY MAY BE TERMINATED BY PETITION OF  
10 THE TRANSIENT LODGING ROOM OWNERS OR LEGALLY AUTHORIZED REPRESENTATIVES  
11 AND SHALL TERMINATE AFTER TEN YEARS UNLESS RENEWED BY FURTHER ACTION BY  
12 PETITION TO AND APPROVAL OF THE GOVERNING BODY.

13           B. IF A PETITION PRESCRIBED BY SUBSECTION A OF THIS SECTION IS  
14 SIGNED BY THE OWNERS OR LEGALLY AUTHORIZED REPRESENTATIVES OF AT LEAST  
15 SIXTY-SEVEN PERCENT OF THE TRANSIENT LODGING ROOMS WITHIN THE GEOGRAPHIC  
16 AREA OF THE AUTHORITY, AND INCLUDES TWO OR MORE PROPERTIES WITH TRANSIENT  
17 LODGING ROOMS, THE GOVERNING BODY OF THE COUNTY BY AFFIRMATIVE VOTE MAY  
18 APPROVE THE FORMATION OF THE AUTHORITY. ON APPROVAL OF THE COUNTY, THE  
19 AUTHORITY IS ESTABLISHED.

20           11-2003. Authority powers and duties; contracts; assessments

21           A. ON ESTABLISHMENT OF THE AUTHORITY, THE GOVERNING BODY OF THE  
22 COUNTY PARTICIPATING IN THE AUTHORITY SHALL:

23           1. CONTRACT WITH A RECOGNIZED TOURISM PROMOTION AGENCY IN THE  
24 COUNTY THAT IS A NONPROFIT CORPORATION EXEMPT FROM TAXATION UNDER SECTION  
25 501(c)(6) OF THE INTERNAL REVENUE CODE AND THAT HAS BEEN IN CONTINUOUS  
26 EXISTENCE FOR AT LEAST FIVE YEARS. IF THERE IS NO RECOGNIZED TOURISM  
27 PROMOTION AGENCY IN THE COUNTY THAT HAS BEEN IN CONTINUOUS EXISTENCE FOR  
28 THE PRECEDING FIVE YEARS, THE COUNTY SHALL CONTRACT WITH A RECOGNIZED  
29 TOURISM PROMOTION AGENCY IN THE COUNTY THAT IS A NONPROFIT CORPORATION  
30 EXEMPT FROM TAXATION UNDER SECTION 501(c)(6) OF THE INTERNAL REVENUE CODE  
31 AND THAT HAS BEEN IN CONTINUOUS EXISTENCE FOR AT LEAST TWO YEARS. IF  
32 THERE IS NO RECOGNIZED TOURISM PROMOTION AGENCY IN THE COUNTY, THE COUNTY  
33 MAY CONTRACT WITH THE COUNTY'S TOURISM PROMOTION OFFICE. THE CONTRACT  
34 SHALL PROVIDE THAT THE COUNTY SHALL DISTRIBUTE TO THE RECOGNIZED TOURISM  
35 PROMOTION AGENCY ALL MONIES THAT ARE RECEIVED FROM ASSESSMENTS COLLECTED  
36 PURSUANT TO THIS CHAPTER.

37           2. ENTER INTO INTERGOVERNMENTAL AGREEMENTS AS PRESCRIBED IN  
38 CHAPTER 7, ARTICLE 3 OF THIS TITLE FOR THE PURPOSES OF SUPPORTING THE  
39 AUTHORITY.

40           B. THE AUTHORITY SHALL ESTABLISH, CHARGE AND COLLECT ASSESSMENTS ON  
41 TRANSIENT LODGING ROOMS. THE AUTHORITY MAY LEVY AN ASSESSMENT OF NOT MORE  
42 THAN \$5 PER ROOM SOLD PER NIGHT ON THE TRANSIENT LODGING ROOMS IN THE  
43 AUTHORITY. THE ASSESSMENT RATE OR RATES MAY BE TIERED BASED ON THE ANNUAL  
44 AVERAGE DAILY ROOM RATE FOR THE AFFECTED TRANSIENT LODGING.

1 C. THE TRANSIENT LODGING ROOM OWNER OR LEGALLY AUTHORIZED  
2 REPRESENTATIVE SHALL PAY THE ASSESSMENT TO THE DEPARTMENT OF REVENUE AT  
3 THE SAME TIME AS PAYING THE TRANSACTION PRIVILEGE TAX UNDER SECTION  
4 42-5014. IF THE TRANSIENT LODGING ROOM OWNER FOR ANY REASON DOES NOT PAY  
5 TRANSACTION PRIVILEGE TAX, THE ASSESSMENT IMPOSED BY THIS CHAPTER IS DUE  
6 AND PAYABLE TO THE DEPARTMENT, AND IS DELINQUENT IF NOT PAID, AS PROVIDED  
7 IN SECTION 42-5014, SUBSECTION A. THE DEPARTMENT SHALL REPORT TO THE  
8 STATE TREASURER THE AMOUNT OF MONIES COLLECTED PURSUANT TO THIS  
9 SUBSECTION. THE ASSESSMENT SHALL BE LEVIED UNDER THIS SECTION BEGINNING  
10 ON THE FIRST DAY OF THE FIRST MONTH BEGINNING NINETY DAYS AFTER THE  
11 AUTHORITY IS ESTABLISHED. UNLESS THE CONTEXT OTHERWISE REQUIRES, SECTION  
12 42-6102 GOVERNS THE ADMINISTRATION OF THE ASSESSMENT.

13 D. THE STATE TREASURER SHALL TRANSMIT TO THE TREASURER OR OFFICER  
14 EXERCISING THE FUNCTIONS OF TREASURER OF THE PARTICIPATING COUNTY EACH  
15 MONTH, THE AMOUNT COLLECTED FROM PROPERTIES WITHIN THE AUTHORITY.

16 E. THE BOARD AND THE COUNTY THAT IS PARTICIPATING IN THE AUTHORITY  
17 SHALL REPORT TO THE DEPARTMENT OF REVENUE THE ASSESSMENT AND SUPPLY THE  
18 DEPARTMENT OF REVENUE AND THE STATE TREASURER WITH ALL REQUESTED  
19 INFORMATION NECESSARY TO ADMINISTER THIS SECTION.

20 11-2004. Authority governance; limitation; meetings; report

21 A. THE BOARD OF DIRECTORS OF THE RECOGNIZED TOURISM PROMOTION  
22 AGENCY SHALL GOVERN THE AUTHORITY AND AT LEAST ONE MEMBER OF THE GOVERNING  
23 BODY SHALL PARTICIPATE IN THE AUTHORITY. THE AUTHORITY MAY EMPLOY STAFF  
24 AND CONSULTANTS, REIMBURSE A COUNTY FOR STAFF, SERVICES AND FACILITIES  
25 SUPPLIED BY THE COUNTY, ENTER INTO CONTRACTS AND ACCEPT GRANTS.

26 B. THE AUTHORITY MAY NOT FINANCE OR FACILITATE THE ACQUISITION,  
27 MAINTENANCE, CONSTRUCTION OR OPERATION OF A HOTEL, MOTEL, RESORT OR OTHER  
28 TRANSIENT LODGING OR ANY SPORTS OR ENTERTAINMENT FACILITY.

29 C. THE AUTHORITY AND ITS BOARD SHALL MAINTAIN THE RECORDS OF THE  
30 AUTHORITY, INCLUDING RECORDS OF ITS ACCOUNTS SHOWING ALL MONIES RECEIVED  
31 AND DISBURSED AND ITS ANNUAL BUDGET, AND SHALL KEEP THE AUTHORITY'S MONIES  
32 AND OPERATIONS SEPARATE FROM THE TOURISM PROMOTION AGENCY'S OTHER MONIES  
33 AND ACTIVITIES. THE BOARD SHALL COMPLY WITH TITLE 38, CHAPTER 3, ARTICLE  
34 3.1 AND TITLE 39, CHAPTER 1.

35 D. THE BOARD SHALL REPORT AT LEAST ANNUALLY TO THE GOVERNING BODY  
36 OF THE COUNTY ON THE ACTIVITIES AND EXPENDITURES OF THE AUTHORITY AND THE  
37 IMPACTS OF THE AUTHORITY'S EXPENDITURES AND ACTIVITIES.

38 11-2005. Termination; petition; renewal; modification of  
39 boundaries

40 A. AN AUTHORITY MAY BE TERMINATED AT ANY TIME ON PRESENTATION OF A  
41 PETITION THAT IS SIGNED BY THE OWNERS OR LEGALLY AUTHORIZED  
42 REPRESENTATIVES OF AT LEAST FIFTY-ONE PERCENT OF THE TRANSIENT LODGING  
43 ROOMS WITHIN THE GEOGRAPHIC AREA OF THE AUTHORITY. ON RECEIPT OF A  
44 PETITION, THE GOVERNING BODY OF THE COUNTY SHALL TERMINATE ITS

1 PARTICIPATION IN THE AUTHORITY AND NOTIFY THE DEPARTMENT OF REVENUE, WHICH  
2 SHALL CEASE COLLECTING ANY ASSESSMENT.

3 B. AN AUTHORITY SHALL TERMINATE TEN YEARS AFTER ITS FORMATION  
4 UNLESS A COUNTY BY PETITION AS PRESCRIBED BY SECTION 11-2002 AND BY  
5 RESOLUTION APPROVE THE RENEWAL OF THE AUTHORITY BEFORE ITS TERMINATION.  
6 ON APPROVAL OF THE GOVERNING BODY'S RESOLUTION, THE AUTHORITY IS RENEWED  
7 FOR TEN ADDITIONAL YEARS. AN AUTHORITY MAY CONTINUE TO BE RENEWED EVERY  
8 TEN YEARS THEREAFTER.

9 Sec. 3. Emergency

10 This act is an emergency measure that is necessary to preserve the  
11 public peace, health or safety and is operative immediately as provided by  
12 law.