

ORDER NO. 013-10
ORDER IMPOSING A SUPPLEMENTAL HOTEL OCCUPANCY TAX

WHEREAS, pursuant to Section 11A of Chapter 289, Acts of the 73rd Texas Legislature, Regular Session, 1993, as amended (the "Act"), the Board of Directors of The Woodlands Township (the "Township"), by order duly passed and adopted on July 7, 1997 (the "Prior Order"), has heretofore imposed and prescribed the rate and terms of assessment and collection and the effective date of a hotel occupancy tax within and for the Township (the "Hotel Occupancy Tax"), which Hotel Occupancy Tax is continuing in full force and effect at a rate of seven percent (7%) of the price paid for a room in a hotel within the Township; and

WHEREAS, Section 11B-1 of the Act authorizes the Board of Directors of the Township by order to impose, repeal, increase or decrease a supplemental hotel occupancy tax in the same manner, but at a rate not to exceed two percent (2%) of the price paid for a room in a hotel within the Township; and

WHEREAS, Section 11B-1 of the Act further sets forth the purposes for which the proceeds from such a supplemental hotel occupancy tax can be used and provides for the effective date and maximum rate(s) of such supplemental hotel occupancy tax; and

WHEREAS, the Board of Directors of the Township has determined that a supplemental hotel occupancy tax should be imposed, assessed and collected within the Township for the purposes authorized by Section 11B-1 of the Act; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE WOODLANDS TOWNSHIP, THAT:

Section 1: In addition to the Hotel Occupancy Tax heretofore imposed by the Township, there is hereby imposed a supplemental hotel occupancy tax (the "Supplemental Hotel Occupancy Tax") upon a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to use or possess a room that (i) is in a hotel located within the boundaries of the Township, (ii) costs \$2.00 or more each day, and (iii) is ordinarily used for sleeping.

Section 2: Unless and until repealed, increased or decreased by subsequent order of the Board of Directors of the Township, the rate of such Supplemental Hotel Occupancy Tax shall be one percent (1%) of the price paid for a room in a hotel, effective January 1, 2011, and two percent (2%) of the price paid for a room in a hotel from and after January 1, 2012.

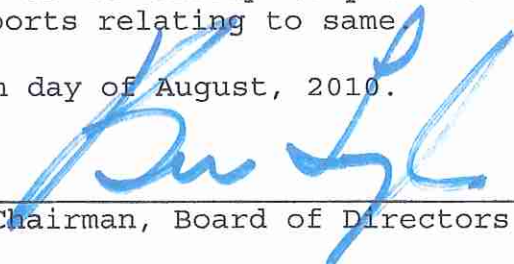
Section 3: The scope and application of such Supplemental Hotel Occupancy Tax, as well as the procedures, methods and means of assessing, collecting, reporting, paying and enforcing such

Supplemental Hotel Occupancy Tax, together with the provisions for delinquencies, penalties, interest, exemptions, exclusions and refunds of such Supplemental Hotel Occupancy Tax shall be as provided in the Prior Order, as same may be amended from time to time by the Board of Directors of the Township.

Section 4: The Township hereby expressly reserves the right, power and authority to (i) repeal, increase or decrease the rate of the Supplemental Hotel Occupancy Tax imposed pursuant to this Order, subject to the limitations set forth in Section 11B-1 of the Act, (ii) examine and receive information related to the levy, assessment and collection of the Township's Supplemental Hotel Occupancy Tax to the same extent as if the Township were a municipality imposing a hotel occupancy tax, (iii) utilize the proceeds from such Supplemental Hotel Occupancy Tax for any purposed authorized pursuant to Section 11B-1 of the Act, to the extent considered appropriate by the Board of Directors of the Township, but subject to the requirement that at least seventy-five percent (75%) of the proceeds from the Supplemental Hotel Occupancy Tax, as determined on an annual average basis, shall be used for the purposes of establishing, operating and maintaining a convention and visitors bureau within or adjacent to the Township, and (iv) pursue any other right or remedy, at law or in equity, to enforce compliance with the terms and provisions of this Order.


Section 5: The President/General Manager of the Township is hereby authorized and directed to provide a copy of this Order, together with a report form, to all persons required to collect and remit the Supplemental Hotel Occupancy Tax imposed by this Order prior to the effective date of same; provided, however, that the failure to receive the same, or to otherwise receive notice of the imposition of such Supplemental Hotel Occupancy Tax, shall not relieve such person from the obligation to collect and remit such Supplemental Hotel Occupancy Tax or to timely complete and file with the Township all required reports relating to same

PASSED AND APPROVED this 25th day of August, 2010.



Chairman, Board of Directors

ATTEST:



Secretary, Board of Directors

