

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2098 Session of 2019

INTRODUCED BY BOBACK, MILLARD, ULLMAN, MURT, YOUNGBLOOD, CALTAGIRONE, HELM, HILL-EVANS, KAUFER, CIRESI, SCHWEYER, GALLOWAY AND OTTEN, DECEMBER 2, 2019

AS REPORTED FROM COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 22, 2020

AN ACT

1 Providing for dedication of portion of sales and use tax; and
2 establishing the Tourism, Museum and Arts Trust Fund.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Tourism,
7 Museum and Arts Funding Act.

8 Section 2. Declaration of policy.

9 The General Assembly finds and declares as follows:

10 (1) Tourism is an important part of Pennsylvania's
11 economy, with visitors spending billions of dollars a year
12 and supporting thousands of jobs at hotels, restaurants,
13 museums, arts and cultural organizations and recreational,
14 historical and outdoor attractions.

15 (2) State government, working in partnership with local
16 tourism agencies, museums and arts and cultural agencies, has

1 a responsibility to promote and market this Commonwealth to  
2 out-of-State leisure and business travelers.

3 (3) A dedicated source of revenue for tourism marketing  
4 and promotion and for grants to museums and the arts will  
5 enable the Commonwealth to promote economic development,  
6 support our many museums and foster the diversity and  
7 strength of arts and culture in communities throughout this  
8 Commonwealth.

9 Section 3. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Destination marketing organization." A nonprofit  
14 corporation, organization, association or agency that is engaged  
15 in tourism promotion or marketing on a regional or Statewide  
16 basis to attract leisure or business travelers to this  
17 Commonwealth.

18 "Fund." The Tourism, Museum and Arts Trust Fund established  
19 in section 4.

20 "Official tourism promotion and marketing agency of the  
21 Commonwealth." The nonprofit corporation, organization,  
22 association or State agency established by law or designated by  
23 the Department of Community and Economic Development as the  
24 official tourism promotion and marketing agency of the  
25 Commonwealth.

26 "Tourism promotion agency." A recognized nonprofit  
27 corporation, organization, association or agency that is engaged  
28 in planning and promoting programs designed to stimulate and  
29 increase the volume of tourist, visitor and vacation business  
30 within counties served by the agency as that term is defined in

1 the act of July 4, 2008 (P.L.621, No.50), known as the Tourism  
2 Promotion Act.

3 Section 4. Tourism, Museum and Arts Trust Fund.

4 (a) Establishment.--The Tourism, Museum and Arts Trust Fund  
5 is established in the State Treasury.

6 (b) Deposits.--The revenue collected under section 5 shall  
7 be deposited into the fund within 60 days of collection.

8 (c) Use of revenues.--The money in the fund is appropriated  
9 on a continuing basis to the fund and shall not lapse. Except as  
10 provided in subsection (d), payments from the fund shall be made  
11 upon warrant of the State Treasurer after receipt of a  
12 requisition from the appropriate agency under this act.

13 ~~(d) Initial distribution of funds. No funds shall be~~ <--  
14 ~~distributed under section 5 prior to July 1, 2018.~~

15 Section 5. Funding for tourism, museums and arts.

16 (a) Source of funding.--The revenue generated from one-sixth  
17 of the tax levied under section 210 of the act of March 4, 1971  
18 (P.L.6, No.2), known as the Tax Reform Code of 1971, shall be  
19 deposited into the fund for use as provided by this act.

20 (b) Allocation of funds.--The money in the fund shall be  
21 allocated as follows:

22 ~~(1) Sixty percent of the revenue shall be used by the~~ <--  
23 ~~official tourism promotion and marketing agency of the~~  
24 ~~Commonwealth for tourism marketing, promotion and development~~  
25 ~~of activities to attract leisure and business travelers to~~  
26 ~~this Commonwealth and for matching grants to destination~~  
27 ~~marketing organizations and tourism promotion agencies.~~

28 ~~(2) Twenty percent of the revenue shall be used by the~~  
29 ~~Pennsylvania Historical and Museum Commission for museum~~  
30 ~~assistance grants.~~

1           ~~(3) Twenty percent of the revenue shall be used by the~~  
2           ~~Commonwealth of Pennsylvania Council on the Arts for grants~~  
3           ~~to the arts.~~

4           (1) FROM THE EFFECTIVE DATE OF THIS SECTION UNTIL           <--  
5           DECEMBER 31, 2022:

6                   (I) SIXTY PERCENT OF THE REVENUE SHALL BE USED BY  
7           THE OFFICIAL TOURISM PROMOTION AND MARKETING AGENCY OF  
8           THE COMMONWEALTH FOR TOURISM MARKETING, PROMOTION AND  
9           DEVELOPMENT OF ACTIVITIES TO ATTRACT LEISURE AND BUSINESS  
10          TRAVELERS TO THIS COMMONWEALTH AND FOR MATCHING GRANTS TO  
11          DESTINATION MARKETING ORGANIZATIONS AND TOURISM PROMOTION  
12          AGENCIES.

13                   (II) FIFTEEN PERCENT OF THE REVENUE SHALL BE USED BY  
14          THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION FOR  
15          MUSEUM ASSISTANCE GRANTS.

16                   (III) FIFTEEN PERCENT OF THE REVENUE SHALL BE USED  
17          BY THE PENNSYLVANIA COUNCIL ON THE ARTS FOR GRANTS TO THE  
18          ARTS.

19                   (IV) TEN PERCENT OF THE REVENUE SHALL BE USED BY THE  
20          DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR  
21          ACCREDITED ZOOS. FOR THE PURPOSE OF THIS SUBPARAGRAPH,  
22          THE TERM "ACCREDITED ZOO" SHALL MEAN A PENNSYLVANIA  
23          ACCREDITED ZOO DESIGNATED BY THE ASSOCIATION OF ZOOS AND  
24          AQUARIUMS OR THE ZOOLOGICAL ASSOCIATION OF AMERICA OR A  
25          MEMBER OF THE PENNSYLVANIA ZOOLOGICAL COUNCIL.

26          (2) FROM JANUARY 1, 2023, AND EVERY YEAR THEREAFTER:

27                   (I) SIXTY PERCENT OF THE REVENUE SHALL BE USED BY  
28          THE OFFICIAL TOURISM PROMOTION AND MARKETING AGENCY OF  
29          THE COMMONWEALTH FOR TOURISM MARKETING, PROMOTION AND  
30          DEVELOPMENT OF ACTIVITIES TO ATTRACT LEISURE AND BUSINESS

1 TRAVELERS TO THIS COMMONWEALTH AND FOR MATCHING GRANTS TO  
2 DESTINATION MARKETING ORGANIZATIONS AND TOURISM PROMOTION  
3 AGENCIES.

4 (II) TWENTY PERCENT OF THE REVENUE SHALL BE USED BY  
5 THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION FOR  
6 MUSEUM ASSISTANCE GRANTS.

7 (III) TWENTY PERCENT OF THE REVENUE SHALL BE USED BY  
8 THE COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS FOR  
9 GRANTS TO THE ARTS.

10 Section 6. Effective date.

11 This act shall take effect in 60 days.