

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2167 Session of
2008

INTRODUCED BY WILLIAMS, PETRONE, BLACKWELL, GODSHALL, MAHONEY,
M. O'BRIEN, PARKER, YOUNGBLOOD AND JAMES, JANUARY 17, 2008

REFERRED TO COMMITTEE ON FINANCE, JANUARY 17, 2008

AN ACT

1 Amending the act of December 21, 1998 (P.L.1307, No.174),
2 entitled "An act relating to cities of the first class,
3 establishing Neighborhood Improvement Districts; conferring
4 powers and duties on municipal corporations and Neighborhood
5 Improvement Districts; and providing for annual audits and
6 for tourism and marketing," authorizing the Philadelphia
7 hospitality promotion tax; providing for apportionment of
8 revenue; and making editorial changes.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 3 of the act of December 21, 1998
12 (P.L.1307, No.174), known as the Community and Economic
13 Improvement Act, is amended by adding a definition to read:

14 Section 3. Definitions.

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

18 * * *

19 "Tourist promotion agency." An agency designated by the
20 council of the city in which the Pennsylvania Convention Center
21 is located to be eligible for grants from the Department of

1 Commerce pursuant to the act of April 28, 1961 (P.L.111, No.50),
2 known as the Tourist Promotion Law.

3 Section 2. Sections 10 and 11 of the act are amended to
4 read:

5 Section 10. Tourism and marketing tax.

6 In addition to the hotel room rental tax imposed under
7 [section 23 of the act of June 27, 1986 (P.L.267, No.70), known
8 as the Pennsylvania Convention Center Authority Act,] 64 Pa.C.S.
9 Ch. 60 (relating to Pennsylvania Convention Center Authority)
10 and under section 202 of the act of March 4, 1971 (P.L.6, No.2),
11 known as the Tax Reform Code of 1971, the council of the city in
12 which a convention center is located is hereby authorized to
13 impose an excise tax on the consideration received by each
14 operator of a hotel within the city from each transaction of
15 renting a room or rooms to accommodate transients. The tax shall
16 be collected by the operator from the patron of the room and
17 paid over to the city pursuant to section 11 and shall be known
18 as the tourism and marketing tax. The rate of tax imposed under
19 this section by the council of the city in which the convention
20 center is located shall not exceed 1%.

21 Section 11. Special tourism and marketing tax fund.

22 There shall be deposited annually in a special fund
23 established pursuant to [section 23(e) of the act of June 27,
24 1986 (P.L.267, No.70), known as the Pennsylvania Convention
25 Center Authority Act,] 64 Pa.C.S. § 6025 (relating to hotel room
26 rental tax; continuation of existing tax), for the use of the
27 regional attractions marketing agency, all revenues received
28 from the tax imposed under section 10. All expenditures from the
29 special fund established under [section 23(e) of the
30 Pennsylvania Convention Center Authority Act] 64 Pa.C.S. § 6025

1 shall be used by the regional attractions marketing agency for
2 direct advertising efforts directed towards advertising and
3 publicizing tourist attractions in the area served by the
4 agency, promoting and attracting tourism to facilities in the
5 area served by the agency and promoting and otherwise
6 encouraging the use of the facilities in the area served by the
7 agency by the public as a whole.

8 Section 3. The act is amended by adding sections to read:

9 Section 11.1. Philadelphia hospitality promotion tax.

10 In addition to the tourism and marketing tax imposed under
11 section 10 and the hotel room rental taxes imposed under 64
12 Pa.C.S. Ch. 60 (relating to Pennsylvania Convention Center
13 Authority) and under section 202 of the act of March 4, 1971
14 (P.L.6, No.2), known as the Tax Reform Code of 1971, the council
15 of the city in which the Pennsylvania Convention Center is
16 located is hereby authorized to impose an excise tax on the
17 consideration received by each operator of a hotel within the
18 city from each transaction of renting a room or rooms to
19 accommodate transients. The tax shall be collected by the
20 operator from the patron of the room and paid over to the city
21 pursuant to section 11.2 and shall be known as the Philadelphia
22 hospitality promotion tax. The rate of tax imposed under this
23 section by the council of the city in which the Pennsylvania
24 Convention Center is located shall not exceed 1%.

25 Section 11.2. Special Philadelphia hospitality promotion tax
26 fund.

27 There shall be deposited annually in a special fund
28 established pursuant to 64 Pa.C.S. § 6025 (relating to hotel
29 room rental tax; continuation of existing tax) all revenues
30 received from the tax imposed under section 11.1 to be

1 apportioned and used as follows:

2 (1) Fifty percent of all such revenues shall be
3 distributed to the regional attractions marketing agency and
4 used by it for direct advertising efforts directed towards
5 advertising and publicizing tourist attractions in the area
6 served by such agency, promoting and attracting tourism to
7 facilities in the area served by the agency and promoting and
8 otherwise encouraging the use of the facilities in the area
9 served by such agency by the public as a whole.

10 (2) Fifty percent of such revenues shall be distributed
11 to the tourist promotion agency and used by it to promote the
12 use of the expanded Pennsylvania Convention Center and to
13 promote the area served by the tourist promotion agency in
14 international markets.

15 Section 4. This act shall take effect in 60 days.