

ORDINANCE NO. 27,610

AN ORDINANCE AMENDING THE OKLAHOMA CITY HOTEL TAX ORDINANCE, RELATING TO TAXATION, CODIFIED AS ARTICLE III - HOTEL TAX OF CHAPTER 52 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2020; ENACTING NEW SECTIONS 52-63.2 AND 52-81.2 OF SAID ARTICLE III, CHAPTER 52, TO LEVY AN ADDITIONAL EXCISE TAX OF THREE AND THREE-FOURTHS PERCENT (3.75%) UPON THE GROSS PROCEEDS OR GROSS RECEIPTS FROM ALL RENT FOR EVERY OCCUPANCY OF A HOTEL ROOM OR ROOMS IN THIS CITY (THE HOTEL TAX) AND TO SPECIFY THAT SAID ADDITIONAL HOTEL TAX LEVIED SHALL BE SET ASIDE AND USED EXCLUSIVELY FOR THE PURPOSE OF ENCOURAGING, PROMOTING AND/OR FOSTERING THE CONVENTION AND/OR TOURISM (VISITOR) DEVELOPMENT OF THE CITY, BY THE FOLLOWING EXPENDITURES: 75.0% OF THE TAX REVENUES SHALL BE EXPENDED FOR ANY PROJECTS, ITEMS, COSTS AND/OR EXPENSES THAT ENCOURAGE, PROMOTE AND/OR FOSTER THE CONVENTION AND/OR TOURISM (VISITOR) DEVELOPMENT OF THE CITY, AND 13.3% OF THE TAX REVENUES SHALL BE EXPENDED FOR THE SPONSORSHIP AND/OR PROMOTION OF EVENTS RECOMMENDED BY THE OKLAHOMA CITY CONVENTION AND VISITORS COMMISSION AND ANTICIPATED TO ENHANCE THE LOCAL ECONOMY THROUGH INCREASED CONVENTION AND/OR TOURISM (VISITOR) ACTIVITY IN THE CITY, AND 6.7% OF THE TAX REVENUES SHALL BE EXPENDED FOR IMPROVEMENTS TO THE OKLAHOMA CITY FAIRGROUNDS, NOT INCLUDING OPERATIONAL COSTS, AND 5% OF THE TAX REVENUES SHALL BE EXPENDED FOR IMPROVEMENTS TO THE OKLAHOMA CITY CONVENTION CENTER, NOT INCLUDING OPERATIONAL COSTS; SETTING FORTH A PROVISIO TO ALLOW CERTAIN EXPENDITURES TO DEFRAY ANY OR ALL REASONABLE AND NECESSARY EXPENSES AND COSTS OF THE CITY OR ITS AGENT(S) OR CONTRACTOR(S) IN COLLECTING, ENFORCING, AND/OR ADMINISTERING THE ADDITIONAL TAX AND EXPENDITURES; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE FOR SECTIONS 1 AND 2 OF THIS ORDINANCE WHICH EFFECTIVE DATE SHALL BE 12:00 A.M. ON OCTOBER 1, 2024; AND PROVIDING THAT THIS ORDINANCE IS OPERATIVE ONLY IF APPROVED BY CITY VOTERS PRIOR TO SAID TIME.

ORDINANCE

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:**

**SECTION 1.** That Article III of Chapter 52 of the Oklahoma City Municipal Code, 2020, is hereby amended by the addition of Sections 52-63.2 and 52-81.2 to read as follows:

## CHAPTER 52 – TAXATION

\* \* \*

### ARTICLE III. – HOTEL TAX

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#### **§ 52-63.2. Levied; rate of levy; rooms provided free of charge subject to tax.**

There is hereby levied an additional excise tax of three and three-fourths percent (3.75%) upon the gross proceeds or gross receipts derived from all rent for every occupancy of a room or rooms in a hotel in this City. Rooms provided free of charge, through barter, trade or any other arrangement or agreement of any kind or nature, are also subject to such tax at the sales value of the room so provided (with "sales value" to mean the price at which the room would be rented to the operator's best customer in the ordinary course of business).

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#### **§ 52-81.2. Use of hotel tax funds levied pursuant to Section 52-63.2.**

(a) All hotel tax revenues collected pursuant to the provision of Section 52-63.2 of this article shall be set aside and used exclusively for the purpose of encouraging, promoting and/or fostering the convention and/or tourism (visitor) development of the City by the following expenditures:

(1) 75.0% of the tax revenues shall be expended for any projects, items, costs and/or expenses that encourage, promote and/or foster the convention and/or tourism (visitor) development of the City; and

(2) 13.3% of the tax revenues shall be expended for the sponsorship and/or promotion of events recommended by the Oklahoma City Convention and Visitors Commission and anticipated to enhance the local economy through increased convention and/or tourism (visitor) activity in the City; and

(3) 6.7% of the tax revenues shall be expended for improvements to the Oklahoma City Fairgrounds, not including operational costs; and

(4) 5.0% of the tax revenues shall be expended for improvements to the Oklahoma City Convention Center, not including operational costs.

(b) Provided, the expenditures for the uses specified in Subsection (a) of this section may be reduced proportionately in the amount(s) determined by the City Council to be necessary to defray any or all reasonable and necessary expenses and costs of the City or its agent(s) or contractor(s) in collecting, enforcing, and/or administering the taxes levied by this article and/or in administering and implementing the expenditures specified in this section.

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**SECTION 2. CODIFICATION.** The provisions of Section 1 of this Ordinance shall be codified as Sections 52-63.2 and 52-81.2 of Article III of Chapter 52 of the Oklahoma City Municipal Code, 2020.

**SECTION 3. EFFECTIVE DATE OF SECTIONS 1 AND 2; APPROVAL BY CITY VOTERS REQUIRED.** The provisions of Sections 1 and 2 of this Ordinance shall become effective from and after 12:00 a.m. on October 1, 2024, but only if this Ordinance is approved prior to said date by a majority vote of the qualified, registered voters of The City of Oklahoma City voting on such question at a special election to be called for that purpose by the City Council of the City and held within the City as provided by law; provided, if this Ordinance is not so approved by City voters prior to 12:00 a.m. on October 1, 2024, then the provisions of Sections 1 and 2 hereof shall become null and void and of no force and effect whatever.

**INTRODUCED AND READ** in the open meeting of the Council of The City of Oklahoma City, Oklahoma, on this 7th day of May, 2024.

**PASSED** by the Council of The City of Oklahoma City, Oklahoma on this 21st day of May, 2024.

**SIGNED** by the Mayor of The City of Oklahoma City, Oklahoma on this 21st day of May, 2024.

s/b David Holt, Mayor

ATTEST:

Amy K. Simpson, City Clerk