FREDDIE O'CONNELL
MAYOR

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

DIRECTOR OF FINANCE
Metropolitan Courthouse
1 Public Square Ste. 106
NASHVILLE, TENNESSEE 37201
TELEPHONE: (615) 862-6151
FAX: (615) 291-6714

March 18, 2025

**VIA EMAIL**

Hon. Jason Mumpower
Comptroller of the Treasury
lga.web@cot.tn.gov

Hon. Richard Briggs
Chair of the State & Local Government Committee of the Senate
sen.richard.briggs@capitol.tn.gov

Hon. Mark Ezell
Commissioner of Tourist Development
mark.ezell@tn.gov

Hon. John Crawford
Chair of the Local Government Committee of the House of Representatives
rep.john.crawford@capitol.tn.gov

**Re: 2024 Hotel Occupancy Tax Revenue Report – Tenn. Code Ann. § 67-4-1403(c)(1)**

Gentlemen:

Set forth below is the Hotel Occupancy Tax Revenue Report of Metropolitan Government of Nashville and Davidson County ("Metro Nashville") for Fiscal Year 2024.

As you know, municipalities levying taxes pursuant to Tenn. Code Ann. §§ 67-4-1401 et seq. (the "Act") are required to file an annual report with the State of Tennessee regarding the disposition of the revenues from such tax levies. Please note the only tax that Metro Nashville levies pursuant to the Act is its 1% hotel tax for the enclosed stadium (the "Stadium Tax") which was approved by Metro Nashville Council on December 22, 2022. The Stadium Tax is levied pursuant to Tenn. Code Ann. § 67-4-1415, which requires the proceeds to be retained by Metro Nashville for the exclusive use of the sports authority for the payment of debt service for the construction of an enclosed stadium with at least fifty thousand (50,000) seats and for future capital improvements to the enclosed stadium. A copy of the relevant enacting ordinance is attached for your records.

Collections of the Fiscal Year 2024 Stadium Tax revenues concluded on August 31, 2024, and Metro Nashville's Finance Department concluded its verification of such collections on December 16, 2024.

| Tax Percentage | FY24 Collections | Statutory Authority |
|---|---|---|
| 1% | $22,069,511.93 | T.C.A. § 67-4-1415 and M.C.L. 5.12.150 (Ordinance BL2022-1529) |

All of the Stadium Tax revenues in Fiscal Year 2024 were deposited with the trustee for the Metro Nashville Sports Authority's Stadium Project Revenue Bonds, Series 2023A, B, C & D, and used to pay debt service on those bonds. Those bonds were issued to finance the construction of the new Titans stadium.

Metro Nashville levies an additional 6% hotel tax outside of the authority of the Act (and therefore not subject to annual reporting requirements of Tenn. Code Ann. § 67-4-1403(c)(1)) pursuant to the authority of Tenn. Code Ann. § 7-4-102, and applies the proceeds in accordance with the requirements of Tenn. Code Ann. § 7-4-110. Specifically:

- 2% is to be used in the direct promotion of tourism. The entirety of this 2% of hotel tax was appropriated in Fiscal Year 2024 to the Nashville Convention and Visitors Corporation ("NCVC") pursuant to a contract between Metro Nashville and the NCVC.
- 3% (including the 1% required to be used for tourist related activities, including the funding of a convention center) is to be applied for the purpose of modifying, constructing, financing and operating a convention center. Except as described in the following sentence, the entirety of this 3% of hotel tax was deposited in Fiscal Year 2024 with the trustee for the Metro Nashville Convention Center Authority's Convention Center Revenue Bonds, Series 2010A & B, and applied to convention center debt service, capital and operating costs, and related reserves. Pursuant to Tenn. Code Ann. § 7-4-102(b)(3) and § 7-4-110(f), a portion of these hotel taxes levied within the secondary tourism development zone approved by the Metro Nashville Council for the Gaylord Opryland Hotel and Convention Center, are deposited to the Metro Nashville General Fund, without further restriction or limitation.
- 1% is to be deposited in the Metro Nashville general fund, without further restriction or limitation. The entirety of this 1% was so deposited in Fiscal Year 2024.

Metro Nashville levies an additional $2.50 per room night hotel tax outside of the authority of the Act (and therefore not subject to annual reporting requirements of Tenn. Code Ann. § 67-4-1403(c)(1)) pursuant to the authority of Tenn. Code Ann. § 7-4-202, and applies the proceeds in accordance with the requirements of Tenn. Code Ann. § 7-4-202. Tenn. Code Ann. § 7-4-202(b) requires that $2.00 of the total $2.50 of such tax revenues be used to fund convention center capital, debt service and operating expenses. All of this portion of the revenues from this additional tax were deposited in Fiscal Year 2024 with the trustee for the Metro Nashville Convention Center Authority's Convention Center Revenue Bonds, Series 2010A & B, and applied to convention center debt service, capital and operating costs, and related reserves. The $0.50 balance of these tax revenues were deposited in Fiscal Year 2024 to an event and marketing fund as required by Tenn. Code Ann. § 7-4-202(d)(1)

Proceeds from the additional hotel taxes described above were as follows in Fiscal Year 2024:

| Tax Percentage | FY24 Collections | Statutory Authority |
|---|---|---|
| 6% | $132,746,975.90 | T.C.A. § 7-4-102 and M.C.L. 5.12.020 |
| $2.50/night surcharge | $25,207,739.69 | T.C.A. § 7-4-202 and M.C.L. 5.12.120 |

All hotel tax collection amounts included in this filing are reported based on an accrual basis of accounting. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Jenneen Reed
Finance Director

cc: Kevin Brown, Deputy Finance Director
Michelle Lane, Deputy Finance Director
Aaron Pratt, Budget Officer
Jennifer Pedginski, Chief Accountant

**ANNUAL REPORT OF MUNICIPAL HOTEL/MOTEL TAX REVENUES AND EXPENDITURES**

**Select** **Metropolitan Government Nashville & Davidson County** *Complete Grey Cells Only

**For the Year Ended June 30,** **2024**

**Part A**

1 Does the Entity levy a Hotel/Motel or Occupancy Tax?

Yes — Move to Line 2

2 Amount of revenue received from Hotel/Motel or Occupancy Tax? $ 180,024,228

3 Was the tax in effect prior to July 1, 2021?

Yes — Move to Line 4

4 If "Yes" to Part 3, were the proceeds received from the tax used in the manner prescribed in the private act, resolution, or ordinance levying the tax?

Yes — Complete Line 5(B)

5 Amount of expenditures for each applicable category under TCA 67-4-1403:

| | |
|---|---|
| (A) 1 - Tourism related activities | $ - |
| 2 - Tourism related capital expenditures | - |
| 3 - Tourism development activities | - |
| 4 - Tourism development capital expenditures | - |
| 5 - Tourism development debt service | 22,069,512 |
| 6 - Non-tourism related activities | - |
| (B) Spending under pre July 1, 2021 private act, resolution, or ordinance | |
| 1 - Pursuant to BL2007-1557 and BL2010-727 | 125,060,374 |
| 2 - Pursuant to BL2008-251 and BL2020-186 | 31,885,428 |
| Total Expenditures (Complete Part B on Page 2) | $ 179,015,314 |
| Occupancy Tax Revenue in Excess of Expenditures | $ 1,008,914 |
| 6 **Restricted Amount - Beginning of Year** | |
| **Restricted Amount - End of Year** | **$ 1,008,914** |

**Certification:**
To the best of my knowledge and belief, the information contained in this report accurately reflects the revenues received from hotel/motel or occupancy taxes and the associated use of such proceeds for the reporting period.

**Submitted by:**

**Title:**

**Date:**

**Enacting Legislation:**
Has the Entity included a copy of the enacting legislation (private act, resolution, or ordinance) with the report submission?

Yes

This information must be filed with the Comptroller of the Treasury, the Commissioner of the Department of Tourist Development, the Chair of the State and Local Government Committee of the Senate, and the Chair of the Local Government Committee of the House of Representatives not less than thirty (30) days after the end of the fiscal year. Reference the form instructions for the report filing e-mail distribution list.

**ANNUAL REPORT OF MUNICIPAL HOTEL/MOTEL TAX REVENUES AND EXPENDITURES**

**Metropolitan Government Nashville & Davidson County** *Complete Grey Cells Only

**For the Year Ended June 30, 2024**

**Part B** List any single expenditure included in the total amounts reported in Part A / Line 5 that exceeds the lesser of 5% of the total revenues reported in Part A / Line 2 or $25,000.

Single Expenditure Threshold Amount $ 25,000

| Line 5 Ref | Vendor / Description | Amount |
|---|---|---|
| A5 | Regions | $ 1,549,806 |
| A5 | Regions | 272,925 |
| A5 | Regions | 180,000 |
| A5 | Regions | 180,000 |
| A5 | Regions | 178,710 |
| A5 | Regions | 173,400 |
| A5 | Regions | 205,320 |
| A5 | Regions | 391,590 |
| A5 | Regions | 4,147,365 |
| A5 | Regions | 6,222,901 |
| A5 | Regions | 333,333 |
| A5 | Regions | 5,566,503 |
| A5 | Regions | 1,935,061 |
| A5 | Regions | 1,775,801 |
| A5 | Regions | 2,706,150 |
| A5 | Regions | 2,150,872 |
| A5 | Regions | 3,024,661 |
| A5 | Regions | 2,998,192 |
| A5 | Regions | 3,243,163 |
| B2 | Nashville Convention & Visitor Bureau | 1,000,000 |
| B2 | Nashville Convention & Visitor Bureau | 50,000 |
| B2 | Nashville Convention & Visitor Bureau | 25,000 |
| B2 | Nashville Convention & Visitor Bureau | 1,000,000 |
| B2 | Nashville Convention & Visitor Bureau | 1,000,000 |
| B2 | Nashville Convention & Visitor Bureau | 1,000,000 |
| B2 | Nashville Convention & Visitor Bureau | 200,000 |
| B1 | Grand Ole Opry | 196,796 |
| B1 | Grand Ole Opry | 192,415 |
| B1 | Grand Ole Opry | 205,154 |
| | Total | $ 42,105,119 |

*Utilize carryover page(s) if necessary

**ANNUAL REPORT OF MUNICIPAL HOTEL/MOTEL TAX REVENUES AND EXPENDITURES**

**Metropolitan Government Nashville & Davidson County** *Complete Grey Cells Only

**For the Year Ended June 30, 2024**

**Part B Carryover Page**

| Line 5 Ref | Vendor / Description | Amount |
|---|---|---|
| B1 | Grand Ole Opry | $ 191,277 |
| B1 | Grand Ole Opry | 170,781 |
| B1 | Grand Ole Opry | 118,267 |
| B1 | Grand Ole Opry | 232,120 |
| B1 | Grand Ole Opry | 200,480 |
| B1 | Grand Ole Opry | 183,607 |
| B1 | Grand Ole Opry | 159,716 |
| B1 | Grand Ole Opry | 169,126 |
| B1 | Grand Ole Opry | 206,816 |
| B1 | Nashville Convention & Visitor Bureau | 2,363,553 |
| B1 | Nashville Convention & Visitor Bureau | 2,844,382 |
| B1 | Nashville Convention & Visitor Bureau | 1,709,996 |
| B1 | Nashville Convention & Visitor Bureau | 1,111,850 |
| B1 | Nashville Convention & Visitor Bureau | 607,861 |
| B1 | Nashville Convention & Visitor Bureau | 1,079,615 |
| B1 | Nashville Convention & Visitor Bureau | 901,521 |
| B1 | Nashville Convention & Visitor Bureau | 1,003,924 |
| B1 | Nashville Convention & Visitor Bureau | 952,715 |
| B1 | Nashville Convention & Visitor Bureau | 1,760,762 |
| B1 | Nashville Convention & Visitor Bureau | 2,747,706 |
| B1 | Nashville Convention & Visitor Bureau | 1,809,344 |
| B1 | Nashville Convention & Visitor Bureau | 1,942,881 |
| B1 | Nashville Convention & Visitor Bureau | 1,325,341 |
| B1 | Nashville Convention & Visitor Bureau | 480,288 |
| B1 | Nashville Convention & Visitor Bureau | 1,081,514 |
| B1 | Nashville Convention & Visitor Bureau | 1,382,326 |
| B1 | Nashville Convention & Visitor Bureau | 915,584 |
| B1 | Nashville Convention & Visitor Bureau | 884,871 |
| B1 | Nashville Convention & Visitor Bureau | 1,757,331 |
| B1 | Nashville Convention & Visitor Bureau | 992,914 |
| B1 | Nashville Convention & Visitor Bureau | 145,804 |
| B1 | Nashville Convention & Visitor Bureau | 1,469,518 |
| B1 | Nashville Convention & Visitor Bureau | 2,005,243 |
| | Total | $ 34,909,033 |

**ANNUAL REPORT OF MUNICIPAL HOTEL/MOTEL TAX REVENUES AND EXPENDITURES**

**Instructions**

**Part A**

Complete Grey Cells Only

Line 1 Use the "Select" dropdown menu to answer the question. Based on the response, the next step will be displayed in the blue cell.

Line 2 Enter the amount of revenue received during the fiscal year from Hotel/Motel or Occupancy Tax in the grey cell.

Line 3 Use the "Select" dropdown menu to answer the question. Based on the response, the next step will be displayed in the blue cell.

Line 4 If instructed to complete Part 4 based on the response to Part 3, use the "Select" dropdown menu to answer the question. Based on the response, the next step will be displayed in the blue cell.

Line 5 Responses in Line 3 and Line 4 will determine whether Line 5(A) or Line 5(B) should be completed.

If instructed to complete Line 5(A), enter the amount of the applicable spending for categories 1 through 6 in the grey cells.

If instructed to complete Line 5(B), enter the amount of the applicable spending for category 1 in the grey cell. Also, include a description of the use of the funds. These funds may fall into a category as described in Line 5(A). Even if they do, still list these in Line 5(B) along with a description of the use of the funds.

Defined terms for Line 5:
1 & 2 - per TCA 67-4-1401(10), "Tourism" means attracting nonresidents to visit a particular municipality and encouraging those residents to spend money in the municipality, which includes travel related to both leisure and business activities.

3, 4, & 5 - per TCA 67-4-1401(11), "Tourism development" means the acquisition and construction of, and financing and retirement of debt for, facilities related to tourism.

Line 6 Enter the amount the beginning balance, if any, of the funds that are restricted for use under the authorization for levy of such taxes reported on this form.

**Part B**

Complete Grey Cells Only

List any single expenditure included in the total amounts reported in Part A / Line 5 that exceeds the lesser of 5% of the total revenues reported in Part A / Line 2 or $25,000.

The Single Expenditure Threshold is formulated to calculate the appropriate "lesser of" amount.

Line 5 Ref - List the corresponding line reference from Part A/Line 5 that the single expenditure was included. Appropriate responses would be any of the following: A1, A2, A3, A4, A5, A6, B1.

Vendor/Description - list the vendor and a brief description of the expenditure.

Amount - list the amount of the corresponding expenditure.

**General**

Complete Grey Cells Only

Please include a copy of the enacting legislation (private act, resolution, or ordinance), that authorizes the levy of the Hotel/Motel or Occupancy Tax.

Complete the Certification section and email the report to the following, not less than thirty (30) days after the end of the fiscal year:

| | |
|---|---|
| TN Comptroller of the Treasury | lga.web@cot.tn.gov |
| Commissioner of Tourist Development - Mark Ezell | mark.ezell@tn.gov |
| Chair of the State & Local Government Committee of the Senate - Sen. Richard Briggs | sen.richard.briggs@capitol.tn.gov |
| Chair of the Local Government Committee of the House of Representatives - Rep. John Crawford | rep.john.crawford@capitol.tn.gov |

## Hotel Taxes Levied Pursuant to T.C.A. § 67-4-1415

| Sum of Balance | Column Labels | | |
| --- | --- | --- | --- |
| | SPA Stadium Revenue 2023 | Grand Total | |
| Row Labels | 31260 | | |
| 403207 | | | |
| Hotel Occupancy Tax | ($18,163,578.81) | ($18,163,578.81) | |
| 403215 | | | |
| STR Occupancy Tax | ($3,905,933.12) | ($3,905,933.12) | |
| 502617 | | | |
| SPA | | | |
| Regions Bank- | $37,235,753.40 | $37,235,753.40 | |
| (blank) | $5,970,680.41 | $5,970,680.41 | (1) |
| **Grand Total** | **$21,136,921.88** | **$21,136,921.88** | |

| | | Funding Source/Calculation | Applicable Metro Ordinance |
| --- | --- | --- | --- |
| **Total Hotel Occupancy Revenue** | **($22,069,511.93)** | 1% of total Hotel Occupancy Tax | BL2022-1529 |
| Funds Paid to Regions (Trustee) | $37,235,753.40 | | |
| Funds paid to Regions from other revenue sources beyond Hotel Occupancy Taxes | **$15,166,241.47** | | |

(1) This expense is paid from sales tax revenue generated on the campus which is retained by Sports Authority in accordance with the agreements.

AMENDMENT NO. 2

TO

ORDINANCE NO. BL2022-1529

Mr. President –

I hereby move to amend Ordinance No. BL2022-1529 by adding a new Section as follows:

Section ___. Not later than March 1, 2023, the Mayor's Office shall provide a report to the Metropolitan Council on the impact of the additional hotel occupancy privilege tax on unhoused residents of hotels and motels in Nashville and Davidson County. This report should also address the feasibility of providing these unhoused residents with a rebate or reimbursement of this tax.

Sponsored by:

Erin Evans

Erin Evans
Member of Council

**ADOPTED: December 20, 2022**

AMENDMENT NO. 1

TO

ORDINANCE NO. BL2022-1529

Mr. President –

I hereby move to amend Ordinance No. BL2022-1529 as follows:

I. By amending the fourth recital as follows:

WHEREAS, the Metropolitan Council has approved by resolution and on a preliminary basis a non-binding term sheet (the "Term Sheet") between the Metropolitan Government and the Tennessee Titans (the "Team"), which term sheet contemplates the various agreements and transactions among, and the rights and responsibilities of, the Metropolitan Government, the Sports Authority and the Team required to facilitate the construction of an enclosed stadium capable of seating in excess of 50,000 seats (the "Stadium"); and

II. By amending Section 4 as follows:

This ordinance shall take effect from and after approval of final, binding documents to construct the Stadium ~~February 1, 2023~~, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by:

Brett A. Withers

Brett Withers
Kevin Rhoten
Burkley Allen
Members of Council

**ADOPTED: December 6, 2022**

Burkley M Allen

ORDINANCE NO. BL2022-1529

An ordinance amending Chapter 5.12 of the Metropolitan Code of Laws pursuant to Tenn. Code Ann. § 67-4-1415 by increasing the hotel occupancy privilege tax in the amount of one percent and directing the proceeds be used for the construction of and future capital improvements to a new enclosed stadium, and debt service related thereto.

WHEREAS, Sections 5.12.020 and 15.12.060 of the Metropolitan Code of Laws levy a hotel occupancy privilege tax in the amount of six percent of the consideration charged by hotel operators for occupation of hotel rooms within Davidson County and direct the use of the proceeds; and

WHEREAS, Sections 5.12.120 and 5.12.130 of the Metropolitan Code of Laws levy an additional hotel occupancy privilege tax in the amount of $2.50 upon the occupancy of each hotel room within Davidson County and direct the use of the proceeds; and

WHEREAS, Tenn. Code Ann. § 67-4-1415 (the "Act") authorizes an additional privilege tax of one percent of the consideration charged by hotel operators to be levied, with the proceeds to be used by the Sports Authority of the Metropolitan Government of Nashville and Davidson County ("Sports Authority") for "the payment of debt service for the construction of an enclosed stadium with at least fifty thousand (50,000) seats and for future capital improvements to the enclosed stadium;" and

WHEREAS, the Metropolitan Council has approved by resolution and on a preliminary basis a term sheet (the "Term Sheet") between the Metropolitan Government and the Tennessee Titans (the "Team"), which term sheet contemplates the various agreements and transactions among, and the rights and responsibilities of, the Metropolitan Government, the Sports Authority and the Team required to facilitate the construction of an enclosed stadium capable of seating in excess of 50,000 seats (the "Stadium"); and

WHEREAS, levying the additional one percent hotel occupancy tax authorized by the Act for the purpose of paying for the construction of and future capital improvements to the Stadium, and debt service related thereto, is in the best interest of the Metropolitan Government.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: There shall be a new Article III of Chapter 5.12 of the Metropolitan Code of Laws, reading as follows:

Article III. – Additional Hotel Occupancy Tax for Enclosed Stadium

§ 5.12.150 In addition to any other tax or fee imposed pursuant to this chapter, there is hereby levied an additional privilege tax of one percent cent of the consideration charged by the operator for the occupancy of each hotel room within Davidson County. The tax so imposed is a privilege tax upon each occupied room for each night of occupancy and shall be collected by the department of finance. The proceeds from such tax shall be distributed to the Sports Authority in accordance with Tenn. Code Ann. § 67-4-1415. The privilege tax hereby levied shall expire on January 1, 2024, unless the

Sports Authority shall have theretofore issued its revenue bonds as contemplated by the Term Sheet (the "Bonds").

Section 2: The Sports Authority is hereby authorized to apply the proceeds of the tax hereby levied either to the costs of the design and construction of the Stadium and/or the payment of debt service on the Bonds, as shall be determined by the Sports Authority.

Section 3: The various departments of the Metropolitan Government are hereby authorized and directed to take all such steps and incur any required costs necessary to implement the collection of the tax levied hereby.

Section 4: This ordinance shall take effect from and after February 1, 2023, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED:

Kelly Flannery, Director
Department of Finance

Approved as to form and legality:

Metropolitan Attorney

INTRODUCED BY:

Brett A. Withers

Sharon W. Hurst

Member(s) of Council

# ORIGINAL

2022 OCT 25 P 12:05
FILED METROPOLITAN CLERK

*METROPOLITAN COUNTY COUNCIL*

**Bill No.** BL2022-1529

An ordinance amending Chapter 5.12 of the Metropolitan Code of Laws pursuant to Tenn. Code Ann. § 67-4-1415 by increasing the hotel occupancy privilege tax in the amount of one percent and directing the proceeds be used for the construction of and future capital improvements to a new enclosed stadium, and debt service related thereto.

*Introduced* NOV 01 2022

*Passed First Reading* NOV 01 2022 deferred to 12-6-22 on 11-15-22

*Amended* DEC 06 2022 DEC 20 2022

*Passed Second Reading* DEC 06 2022

*Passed Third Reading* DEC 20 2022

*Approved* [signature] DEC 22 2022

*By*
*Metropolitan Mayor*

Amendment No. 1

To

Ordinance No. BL2007-1557

Mr. President:

I move to amend Ordinance No. BL2007-1557 as follows:

1. By amending Section 2 by deleting the phrase "subsections B(1), B(2) and B(3)", wherein it appears in subsection B, and substituting in lieu thereof the phrase "subsections A(1), A(2) and A(3)".

2. By amending Section 7 by deleting the phrase "pursuant to this Act", and substituting in lieu thereof the phrase "pursuant to this ordinance".

3. By deleting Section 9 in its entirety and substituting in lieu thereof the following new Section 9:

   "Section 9. The Metropolitan Government shall monitor the results of minority owned business participation. The Metropolitan Government shall periodically investigate to ascertain whether minority owned business participation is being achieved at a level contemplated by Public Chapter No. 422, and shall report such information to the Comptroller of the Treasury in the manner prescribed in Public Chapter No. 422."

4. By amending Section 10 by deleting the phrase "subdivision (3) of this subsection", and substituting in lieu thereof the phrase "Public Chapter No. 422.

Introduced By:

Mike Jameson
Member of Council

ADOPTED: JULY 17, 2007

P:BL1557amd2

ORDINANCE NO. BL2007-1557

An ordinance authorizing the collection of four tourist accommodation taxes by the Metropolitan Government to be distributed by formula for the direct promotion of tourism, tourist related activities (which may include funding for a convention center), the general fund of the Metropolitan Government and a reserve fund to be used exclusively for the purpose of modifying, constructing, financing and operating a convention center; providing requirements for the performance of work on the convention center; and requiring the Metropolitan Government to actively solicit bids from minority-owned businesses for construction of a new convention center.

Whereas the Tennessee State Legislature has enacted and the Governor has signed Senate Bill 1116 which enables the Metropolitan Government to levy four additional tourist accommodation taxes; and

Whereas Nashville's visitor industry contributes to the community's economic well being and contributes to the cost of general government and public education; and

Whereas the visitor industry in Nashville employs one in five working adults, generates $1.6 billion in wages, collects $3.5 billion in visitor spending each year, and collects $279 million in state and local taxes annually; and

Whereas Nashville is losing convention business worth millions of dollars annually and can compete for only 20 to 30 percent of the national market today; and

Whereas numerous market and financial studies have endorsed the feasibility of constructing a modern convention facility which would allow Nashville to compete for at least 70 percent of the national market, attract 1,000,000 additional visitors annually and create 36,000 new jobs; and

Whereas visitors will pay for the construction and operation of the convention center and contribute additional sales tax revenue; and

Whereas it is in the public interest to market Nashville's Music City brand, grow a vital segment of the economic base, increase the flow of visitor contributions to our tax base, minimize the increase of local property taxes by recruiting additional sales tax dollars into the Nashville economy;

**Now, therefore, be it enacted by the Council of the Metropolitan Government of Nashville and Davidson County:**

Section 1. Section 5.12.020 of the Metropolitan Code is hereby amended by deleting the word "five" where it appears in the first sentence, and replacing it with the word "six," and is hereby further amended by adding the following language at the end of that Section:

> "The proceeds from such tax shall be retained by the Metropolitan Government and distributed in accordance with T.C.A. § 7-4-110(b). The tax so imposed is a privilege tax upon the transient occupying the room of a hotel located within the territory of the Metropolitan Government;" and

Section 2. Metropolitan Code Section 5.12.060 relative to the distribution of proceeds is hereby deleted and replaced with the following:

A. "Except for the taxes levied pursuant to T.C.A. § 7-4-102(c), the proceeds from the tax levied in this Chapter shall be retained by the Metropolitan Government and distributed as follows:

(1) One-third of the proceeds in its entirety shall be used for the direct promotion of tourism;

(2) One-third of the proceeds in its entirety shall be maintained in a reserve fund to be used exclusively for the purpose of modifying, constructing, financing and operating a convention center;

(3) One-sixth of the proceeds shall be used for tourist-related activities which may include funding a convention center; and

(4) One-sixth of the proceeds shall be deposited in the General Fund of the Metropolitan Government.

B. If the total tax collections received pursuant to this Section and dedicated to the purposes contained in Subsections B (1), B (2) and B (3) exceed the amounts necessary to fund the obligations thereunder, the excess shall be placed in a reserve fund and expended only for tourist-related activities.

C. The proceeds from the tax authorized by T.C.A. § 7-4-102(c) shall be retained by the metropolitan government and be used exclusively for tourist-related activities within the area of the metropolitan government.

D. Proceeds of this tax may not be used to provide a subsidy in any form to any hotel or motel.

Section 3: Title 5 of the Metropolitan Code, Chapter 12, is hereby amended amended as follows:

1. By designating Sections 5.12.010 through 5.12.100 as Article I.

2. By adding the following new sections as Article II "Additional Hotel Occupancy Tax for Convention Center:

**5.12.110 Definitions.**

As used in this Article, unless the context otherwise requires:

(1) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, business organization, receiver, trustee, syndicate, or any other group or combination acting as a unit;

(2) "Tax collection officials" means the Department of Finance of the county or municipality, as applicable, or the county clerk, as so designated by ordinance of the legislative body of the Metropolitan Government.

**5.12.120 Additional hotel occupancy privilege tax for convention center authorized.**

In addition to any other tax or fee imposed pursuant to this Chapter on the occupancy of the hotel room, there is hereby authorized an additional two dollars ($2.00) privilege tax upon the occupancy of each hotel room within the territory of the Metropolitan Government. The tax so imposed is a privilege tax upon each occupied room for each night of occupancy and needs to be collected and distributed as provided in this Article.

**5.12.130 Districution of additional convention center hotel occupancy tax funds.**

All revenues received by the Metropolitan Government from the privilege tax imposed pursuant to this Article shall be deposited into a Metropolitan Government fund entitled "The Convention Center Fund" and shall be used for the purpose of paying costs incurred in modification or construction of a publicly-owned convention center in excess of Four Hundred Million Dollars ($400,000,000.00) and costs located within the territory of the Metropolitan Government. Such revenues may also be used for the operation, promotion, management and marketing of such a convention center. If the revenues from such surcharge or tax in any fiscal year exceed the total of such debt service requirements from that year, such surplus revenue thus accruing shall be retained by the Metropolitan Government as a reserve fund for future convention center debt service requirements.

**5.12.140 Termination of additional convention center hotel occupancy privilege tax.**

The additional convention center hotel occupancy tax authorized by this Article shall terminate once the total bonded indebtedness incurred for the modification or construction of such convention center facility by the Metropolitan Government has been paid in full as to bond principal and interest, including the expenses of bond sale or sales, and the Metropolitan Council repeals the provisions of this Article. Provided, however, that any funds and interests remaining in the reserve fund after all obligations imposed under the provision of this part have been fulfilled, shall be used by the governmental board or agency responsible for the operation of the convention center for use by it in the operation, promotion and advertisement of the convention center facilities.

Section 4. Title 5 of the Metropolitan Code is hereby amended by amending Chapter 5.16 by adding the following new Article IV "Privilege Tax for Contract Vehicles Leaving the Airport":

**5.16.130 Privilege tax for contract vehicles leaving the airport authorized.**

**A. There** is hereby authorized a privilege tax on the privilege of contracted vehicles exiting public airports located within the boundaries of the Metropolitan Government.

(1) Such tax shall be imposed only upon contracted vehicles which charge customers a separate fee for transportation from the airport unless otherwise excluded in this part.

(2) The tax shall be in the amount of Two Dollars ($2.00) each time a contracted vehicle meeting the requirements of subdivision (2) exits the airport while transporting customers from the airport located within the territory of the Metropolitan Government, but shall exclude non-commercial vehicles and equipment operated by the Metropolitan Transit Authority.

(3) The tax so imposed is a privilege tax upon the contracted vehicle exiting the airport and is to be collected and distributed as provided in this Article.

(4) The privilege tax is due each time a contracted vehicle to which this section applies leaves the airport. The operator of the contracted vehicle shall be responsible for keeping accurate records to determine the amount of tax due and payable. Such information shall be transmitted daily by the operator of the contracted vehicle to a designated individual within the business organization

which hired the operator of the contracted vehicle. The privilege tax shall be remitted to the Metropolitan tax collection official by a designated individual within such business organization not later than the 20th of each month.

B.1. Taxes due and payable that are not remitted to the tax collection official on or before the due dates are delinquent.

2. The person owing such taxes shall be liable for interest on such delinquent taxes from the due date at the rate of 8% per annum, and in addition for a penalty of 1% for each month or fraction of a month that such taxes are delinquent. Such interest and penalty shall become a part of the tax required in this Chapter to be remitted.

3. As provided in T.C.A. § 7-4-205, willful refusal of a person to collect or remit the tax or willful refusal of an operator of a contracted vehicle to keep accurate records of the tax due and payable is a Class C misdemeanor.

4. Any fine levied in this Chapter shall be applicable to each individual transaction involving a contractor of a contracted vehicle for willful refusal to keep accurate records or the willful refusal of a person to collect or remit the tax due and owing.

**5.16.140 Distribution of privilege tax for contract vehicles leaving the airport.**

All revenues received by the Metropolitan Government from this privilege tax shall be deposited into the Metropolitan Government fund entitled "The Convention Center Fund" and shall be used for the purpose of paying costs incurred in the modification or construction of a publicly owned convention center in excess of Four Hundred Million Dollars ($400,000,000.00) and costs located within the territory of the Metropolitan Government. If the revenues from such surcharge or tax in any fiscal year exceed the total of such debt service requirements from that year, said surplus revenue thus accruing shall be retained by the Metropolitan Government as a reserve fund for future debt service requirements.

**5.16.150 Termination of prividge tax for contract vehicles leaving the airport.**

The privilege tax for contract vehicles leaving the airport authorized by the Article shall terminate once the total bonded indebtedness incurred for the modification or construction of a convention center facility by the Metropolitan Government has been paid in full as to bond principal and interest, including expenses of bond sale or sales, and the Metropolitan Council repeals the provisions of this Article. Provided however, that any funds remaining in the reserve fund after all obligations imposed under this provision of this part have been fulfilled, shall be used by the governmental board or agency responsible for the operation of the convention center for use by it in the operation, promotion and advertisement of the convention center facilities.

Section 5: Title 5, Chapter 32 is hereby amended by adding the following new Article III "Rental Vehicle Surcharge":

**5.32.190 Surcharge authorized.**

A. In addition to state tax provided in T.C.A. § 67-4-1901, the surcharge or tax of One Percent (1%) of the gross proceeds derived from the lease or rental of any passenger motor vehicle, truck or trailer for a period of five (5) days or less; provided, that said surcharge or tax will not apply to any automobile rented as a replacement vehicle, the cost of which is covered by insurance or by a business that rents a truck or trailer for the purpose of transporting goods, or by any individual or business that rents a vehicle as a replacement while the renter's vehicle is being repaired, replaced or serviced; provided further, that the individual presents to the renter upon return of the rented vehicle a copy of the repair or service invoice or signs a statement under penalty of perjury that the lease or rental of the vehicle is used as a replacement for a vehicle that is being repaired, replaced or serviced. The surcharge or tax shall not apply to any vehicle rental transaction in which an entity whose principal business activity is the sale or service of new and used motor vehicles is the renter. This surcharge or tax shall apply to the gross proceeds from the rental agreement, excluding any sales tax imposed by Chapter 6 of the Tennessee Code Annotated. The surcharge or tax shall also be subject to the exemptions provided by T.C.A. § 67-4-1906. The surcharge or tax shall not be subject to a credit provided by T.C.A. § 67-4-1903 and shall be implemented consistent with existing tax policies and procedures of the Department of Revenue and of the remainder of this Chapter.

B. All revenue received by the Metropolitan Government from this surcharge or tax shall be deposited into a Metropolitan Government fund entitled "The Convention Center Fund," which shall be used for the purpose of paying costs associated with modification or construction of a publicly-owned convention center in excess of Four Hundred Million Dollars ($400,000,000.00) of costs within the territory of the Metropolitan Government. If the revenues from such surcharge or tax in any fiscal year exceed the total of such debt service requirements for that year, such surplus revenue thus accruing shall be retained by the Metropolitan Government as a reserve fund for future debt service requirements.

C. The surcharge for rental vehicles authorized pursuant to this article shall terminate once the total bonded indebtedness incurred for the construction of a convention center facility by the Metropolitan Government has been paid in full as to bond principal and interest, including expenses of bond sale or sales, and the Metropolitan Coucnil has repealed the provisions of this Article. Provided however, that any funds remaining in the reserve fund after all obligations imposed under the provisions of this section have been fulfilled, shall be used by the governmental board or agency responsible for operation of the convention center for use by it in the promotion and advertisement of the convention center facilities.

Section 6. During the construction of the new publicly owned convention center as provided in this part, any contractor entering into a contract with the Metropolitan Government for the performance of work on such convention center shall pay all workers performing the work under such contracts not less than the prevailing wage rate for all types and classifications of work for contractors entering into a state contract pursuant to Tennessee Code Annotated, Title 12, Chapter 4, Part 4. In addition, all such contractors shall provide health insurance coverage for all workers performing work under such contracts.

After the construction of such convention center is completed, all persons employed to perform labor or services at such convention center shall be paid a wage which is not less than the average of the prevailing wage rate for all types and classifications of work for contractors entering into a state contract pursuant to Tennessee Code Annotated, Title 12, Chapter 4, Part 4. In addition, health insurance coverage shall be provided to all such employees.

Section 7: The metropolitan government, in soliciting bids for construction of a publicly owned convention center in excess of Four Hundred Million Dollars ($400,000,000.00) in costs located within the territory of such Metropolitan Government, shall actively solicit bids from minority owned businesses. Such Metropolitan Government shall strive to maximize participation of minority owned businesses to prime and second tier business contracting opportunities. The

Metropolitan Council shall insure that the funds which are deposited into the Convention Center Fund, created pursuant to this Act, are expended in a non-discriminatory manner.

Section 8. The Metropolitan Government shall monitor the expenditure of funds from the Convention Center Fund to insure that all contractors, vendors, suppliers and professional services providers receiving compensation from such funds do not discriminate in hiring, partnering, contracting, or subcontracting, on the basis of race, religion, ethnic background, or sex.

Section 9. The Metropolitan Government shall monitor the results of minority owned business participation. Such government shall periodically investigate to ascertain whether minority owned business participation is being achieved at a level contemplated pursuant to subsection (b) of this section and shall report such information to the Comptroller of the Treasury in the manner prescribed in subdivision (4) of this section.

Section 10. The Metropolitan Government shall prepare and submit a quarterly report entitled "The Convention Center Compliance Report" which shall be submitted to the Comptroller of the Treasury no later than twenty (20) business days after the end of any calendar quarter in which funds are expended from The Convention Center Fund. Such report shall include:

(A) Data on the race, religion, ethnic background and sex of the workforce of each person that receives funds from The Convention Center Fund;

(B) Data on the actual expenditure of funds to minority owned businesses from The Convention Center Fund; and

(C) Data summarizing the findings of all periodic investigations conducted in accordance with subdivision (3) of this subsection.

Section 11. The Metropolitan Government is hereby authorized to commence collection of the four tourist accommodation taxes authorized hereinabove on September 1, 2007.

Section 12. This Ordinance shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO
AVAILABILITY OF FUNDS:

David Manning
Director of Finance

INTRODUCED BY:

Mike Jameson

Rip Ryman
Members of Council

ORIGINAL

2007 JUN 26 PM 3:53

FILED
METROPOLITAN
CLERK

*METROPOLITAN COUNTY COUNCIL*

**Bill No.** BL2007-1557

AN ORDINANCE AUTHORIZING THE COLLECTION OF FOUR TOURIST ACCOMMODATION TAXES BY THE METROPOLITAN GOVERNMENT TO BE DISTRIBUTED BY FORMULA FOR THE DIRECT PROMOTION OF TOURISM, TOURIST RELATED ACTIVITIES (WHICH MAY INCLUDE FUNDING FOR A CONVENTION CENTER), THE GENERAL FUND OF THE METROPOLITAN GOVERNMENT AND A RESERVE FUND TO BE USED EXCLUSIVELY FOR THE PURPOSE OF MODIFYING, CONSTRUCTING, FINANCING AND OPERATING A CONVENTION CENTER; PROVIDING REQUIREMENTS FOR THE PERFORMANCE OF WORK ON THE CONVENTION CENTER; AND REQUIRING THE METROPOLITAN GOVERNMENT TO ACTIVELY SOLICIT BIDS FROM MINORITY-OWNED BUSINESSES FOR CONSTRUCTION OF A NEW CONVENTION CENTER.

*Introduced* JUL 3 2007

*Passed First Reading* JUL 3 2007

*Amended* JUL 17 2007

*Passed Second Reading* JUL 17 2007

*Passed Third Reading* AUG 7 2007

*Approved* AUG 9 2007

*By* [signature]
*Metropolitan Mayor*

*Advertised* ____________

*Effective Date* ____________

Ordinance No. BL2010-727

An ordinance appropriating and designating certain funds and hotel occupancy tax revenues to Gaylord Entertainment Co. to assist in flood recovery efforts of the Grand Ole Opry House resulting from the May 2010 flood.

WHEREAS, the Metropolitan County Council ("Council") adopted Ordinance No. BL2007-1557 authorizing the collection of an additional one percent Hotel Occupancy Tax ("Additional Hotel Occupancy Tax"); and

WHEREAS, the Council adopted Resolution No. RS2007-2084, subsequently amended by Resolution No. RS2007-2117, designating the boundaries of the Gaylord Tourism Development Zone as a secondary tourism development zone pursuant to Tennessee Code Annotated Sections 7-88-101 - 111; and

WHEREAS, Tennessee Code Annotated Section 7-4-102(b)(3) provides that the Additional Hotel Occupancy Tax derived in a secondary tourism development zone be deposited into the local government's general fund; and,

WHEREAS, the Additional Hotel Occupancy Tax derived from the Gaylord Tourism Development Zone has been deposited into a Account #01103260.502617 ("Hotel Occupancy 2007 1% Secondary TDZ") in the General Fund; and

WHEREAS, pursuant to Resolution No. RS2007-2118 it has been the intent of the Metropolitan Government of Nashville and Davidson County ("Metropolitan Government") that the Additional Hotel Occupancy Tax derived from the Gaylord Tourism Development Zone be used for Gaylord tourism development purposes; and

WHEREAS, between May 1 and May 2, 2010, unprecedented rainfall was experienced in the Middle Tennessee region causing extensive flooding and damage throughout the area of the Metropolitan Government; and

WHEREAS, the May 2010 flooding disaster caused extensive damage to one of Nashville's acclaimed tourist destinations, the Grand Ole Opry House, the undisputed home of country music and America's longest running radio show; an attraction unique to the cultural identity of Nashville; and

WHEREAS, the Gaylord Entertainment Co. estimates the cost to repair and renovate the Grand Ole Opry House to range between seventeen million dollars ($17,000,000) and twenty million dollars ($20,000,000); and

WHEREAS, future Additional Hotel Occupancy Taxes derived from the Gaylord Tourism Development Zone will be generated as a result of the large investment of Gaylord Entertainment Co. to restore the Opryland Hotel; and

WHEREAS, it is necessary for the general welfare of the inhabitants of the Metropolitan Government and for tourism development to expedite and assist in the recovery of the Grand Ole Opry House by appropriating a portion of the Additional Hotel Occupancy Tax collected and on deposit in a Account #01103260.502617 of the General Fund to Gaylord Entertainment Co. for Grand Ole Opry House renovation expenses directly related to damages caused by the May 2010 flooding disaster; and,

WHEREAS, it is also necessary for the general welfare of the inhabitants of the Metropolitan Government and for tourism development to designate future revenues generated by the Additional Hotel Occupancy Tax derived from the Gaylord Tourism Development Zone to be appropriated to Gaylord Entertainment Co. for Grand Ole Opry House renovation expenses directly related to damages caused by the May 2010 flooding disaster.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: The amount of one million, six hundred thousand dollars ($1,600,000) shall be appropriated to Gaylord Entertainment Co. from the unencumbered fund balance of Account #01103260.502617 ("Hotel Occupancy 2007 1% Secondary TDZ") for the purpose of repairing and renovating the Grand Ole Opry House due to damages directly caused by the May 2010 flooding disaster.

Section 2: Future revenues generated by the Additional Hotel Occupancy Tax collected in the Gaylord Tourism Development Zone are hereby dedicated and restricted for payment to Gaylord Entertainment Co. for the purpose of reimbursing expenses, including a five percent per annum interest rate, related to the repair and renovation of the Grand Ole Opry House due to damages directly caused by the May 2010 flooding disaster.

Section 3: Annual appropriations by the Council of such restricted future revenues generated by the Additional Hotel Occupancy Tax collected in the Gaylord Tourism Development Zone to Gaylord Entertainment Co. shall be made in accordance with this Ordinance.

Section 4: The annual appropriations authorized by Section 3 of this Ordinance shall cease to be authorized after July 1, 2025 and shall not exceed the total expenses as provided in Section 2.

Section 5: The authorization to designate and appropriate the Additional Hotel Occupancy Tax revenues by this Ordinance shall terminate upon resolution of the Industrial Development Board to issue its revenue bonds for the purpose of financing an expansion to the Opryland Hotel and Convention Center as contemplated by Resolution No. RS2007-2118.

Section 6: Prior to any disbursement of appropriated funds authorized by this Ordinance, Gaylord Entertainment Co. shall certify the actual itemized expenses related to the repair and renovation of the Grand Ole Opry House in a report to be delivered to and accepted by the Director of Finance; and the Director of Finance shall deliver the certified report to the Council upon receipt.

Section 7: This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO AVAILABILITY OF FUNDS:

Richard M. Riebeling
Director of Finance

APPROVED AS TO FORM AND LEGALITY:

Assistant Metropolitan Attorney

INTRODUCED BY:

D-10-04416

2010 JUL 12 AM 11:56

FILED
METROPOLITAN
CLERK

ORIGINAL

*METROPOLITAN COUNTY COUNCIL*

**Bill No.** BL2010-727

An ordinance appropriating and designating certain funds and hotel occupancy tax revenues to Gaylord Entertainment Co. to assist in flood recovery efforts of the Grand Ole Opry House resulting from the May 2010 flood.

*Introduced* JUL 20 2010

*Passed First Reading* JUL 20 2010

*Amended* ________

*Passed Second Reading* AUG 3 2010

*Passed Third Reading* AUG 17 2010

*Approved* AUG 18 2010

*By* [signature]
*Metropolitan Mayor*

*Advertised* ________

*Effective Date* ________

**ORDINANCE NO. BL2008-251**

**An ordinance amending Title 5, Chapter 5.12, Article II of the Metropolitan Code to increase the additional hotel occupancy privilege tax by fifty cents, where increased revenue shall be deposited in a fund entitled "The Event and Marketing Fund," where such increase shall expire on May 20, 2014.**

WHEREAS, the Metropolitan Code currently authorizes a two dollar ($2.00)privilege tax upon the occupancy of each hotel room within the territory of the Metropolitan Government; and,

WHEREAS, the Metropolitan Government of Nashville and Davidson County currently requires all revenue collected pursuant to Title 5, Chapter 5.12, Article II to be deposited into a fund entitled "The Convention Center Fund"; and,

WHEREAS, 2008 Tenn. Pub. Act 1004 authorizes a metropolitan government to increase the additional hotel occupancy privilege tax up to a total of two dollars and fifty cents ($2.50); and,

WHEREAS, 2008 Tenn. Pub. Act 1004 requires that upon adoption of an ordinance by the metropolitan council in a county having a metropolitan government all revenue received pursuant to the additional hotel occupancy tax which exceeds two dollars to be deposited in a metropolitan government fund entitled "The Event and Marketing Fund"; and,

WHEREAS, for the approval of expenditures of "The Event and Marketing Fund," 2008 Tenn. Pub. Act 1004 provides that the metropolitan mayor appoint a committee to be attached for administrative purposes to a convention and visitors bureau or similar entity that has been approved by the metropolitan council and the metropolitan mayor; and,

WHEREAS, 2008 Tenn. Pub. Act 1004 requires any hotel occupancy privilege tax in excess of two dollars ($2.00) authorized by the Act expire six years from the effective date of the Act; and,

WHEREAS, it is in the interest of the citizens of The Metropolitan Government of Nashville and Davidson County that Title 5, Chapter 5.12, Article II of the Metropolitan Code be amended to increase the additional hotel occupancy tax and create a fund entitled "The Event and Marketing Fund" for the deposit of all revenues exceeding two dollars ($2.00); and,

Whereas, it is also in the interest of the citizens of The Metropolitan Government of Nashville and Davidson County that a committee attached to a convention and visitors bureau or similar entity for administrative purposes use the additional hotel occupancy tax funds to support events or projects which are found by the committee to have a cumulative total economic impact on The Metropolitan Government of Nashville and Davidson County of greater than five million dollars ($5,000,000.00); and, WHEREAS, it is also in the interest of the citizens of the Metropolitan Government of Nashville and Davidson County that the entity with which the Metropolitan Government contracts for tourism and convention sales and marketing services be approved as the entity under which a committee is appointed to administer "The Event and Marketing Fund," where such administration should continue until the expiration of said contract, including any extensions or renewal thereof, or the expiration of the additional hotel occupancy tax act, whichever occurs first.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 5.12.120 shall be amended by deleting the phrase "additional two dollars privilege tax" and substituting instead the phrase "additional privilege tax of two dollars and fifty cents ($2.50)."

Section 2. That Section 5.12.130 shall be amended by deleting the section in its entirety and substituting instead the following:

A. Revenues up to two dollars ($2.00) received by the metropolitan government from the privilege tax imposed pursuant to this article shall be deposited into a metropolitan government fund entitled "The Convention Center Fund" and shall be used for the purpose of paying costs incurred in modification or construction of a publicly-owned convention center in excess of four hundred million dollars and costs located within the territory of the metropolitan government. Such revenues may also be used for the operation, promotion, management and marketing of such a convention center. If the revenues from such surcharge or tax in any fiscal year exceed the total of such debt service requirements from that year, such surplus revenue thus accruing shall be retained by the metropolitan government as a reserve fund for future convention center debt service.

B. Revenues which exceed two dollars ($2.00) received by the metropolitan government from the privilege tax imposed pursuant to this article shall be deposited into a metropolitan government fund entitled "The Event and Marketing Fund." The Fund expenditures shall be administered by a committee which, for administrative purposes, shall be attached to the Nashville Convention & Visitors Bureau, or similar entity that has been approved by the metropolitan council and the mayor, and is under contract to provide tourism and convention sales and marketing services to the Metropolitan Government of Nashville and Davidson County. The administration of funds shall continue until the expiration of said contract, including any extensions or renewal thereof, or the expiration of the additional hotel occupancy tax act, whichever occurs first. All expenditures from "The Event and Marketing Fund" shall be subject to the approval of the director of finance of the Metropolitan Government of Nashville and Davidson County.

C. Revenues which exceed two dollars ($2.00) received by the metropolitan government from the privilege tax imposed pursuant to this article shall be used by the committee to support events or projects which are found by the committee to have a cumulative total economic impact on the Metropolitan Government of Nashville and Davidson County of greater than five million dollars ($5,000,000.00)

Section 3. That Section 5.12.140 be deleted in its entirety and substituted instead with the following:

A. The additional hotel occupancy privilege tax up to two dollars ($2.00) authorized by this article shall terminate once the total bonded indebtedness incurred for the modification or construction of such convention center facility by the metropolitan government has been paid in full as to bond principal and interest, including the expenses of bond sale or sales, and the metropolitan council repeals the provisions of this article. Provided, however, that any funds and interests remaining in the reserve fund after all obligations imposed under the provision of this part have been fulfilled, shall be used by the governmental board or agency responsible for the operation of the convention center for use by it in the operation, promotion and advertisement of the convention center facilities.

B. The additional hotel occupancy privilege tax which exceeds two dollars ($2.00) authorized by this article shall terminate six years from the effective date of 2008 Tenn. Pub. Act 1004.

Section 4. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

____________________________

APPROVED AS TO AVAILABILITY OF FUNDS:

____________________________

Director of Finance

APPROVED AS TO FORM AND LEGALITY:

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Metropolitan Attorney

INTRODUCED BY:

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Member(s) of Council

2008 JUL -7 AM 7:47

FILED
METROPOLITAN
CLERK

ORIGINAL

*METROPOLITAN COUNTY COUNCIL*

Bill No. BL2008-251

**An ordinance amending Title 5, Chapter 5.12, Article II of the Metropolitan Code to increase the additional hotel occupancy privilege tax by fifty cents, where increased revenue shall be deposited in a fund entitled "The Event and Marketing Fund," where such increase shall expire on May 20, 2014**

*Introduced* JUL 15 2008

*Passed First Reading* JUL 15 2008

*Amended* ________

*Passed Second Reading* AUG 7 2008

*Passed Third Reading* AUG 19 2008

*Approved* AUG 22 2008

*By* ________
*Metropolitan Mayor*

*Advertised* ________

*Effective Date* ________

ORDINANCE NO. BL2020-186

An ordinance amending Section 5.12.140 B of the Metropolitan Code to extend the expiration date for the assessment, collection, and administration of the additional hotel occupancy privilege tax of fifty cents.

WHEREAS, pursuant to Tennessee Code Annotated, Section 7-4-202, the Metropolitan Code authorizes a fifty cent ($0.50) privilege tax in addition to the two dollar ($2.00) privilege tax upon the occupancy of each hotel room within the territory of the Metropolitan Government; and,

WHEREAS, all revenue received pursuant to the additional hotel occupancy tax which exceeds two dollars is required to be deposited in a metropolitan government fund entitled "The Event and Marketing Fund" and used for the direct promotion of tourism; and,

WHEREAS, 2019 Tenn. Pub. Act 426 extends the expiration date for a metropolitan government to assess and collect any hotel occupancy privilege tax in excess of two dollars ($2.00) to six years from May 21, 2020; and,

WHEREAS, it is in the interest of the citizens of The Metropolitan Government of Nashville and Davidson County that Section 5.12.140 B of the Metropolitan Code be amended to extend the expiration date for the assessment, collection, and administration of the additional hotel occupancy tax as permitted by state law.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 5.12.140 B be deleted in its entirety and substituted instead with the following:

> B. The additional hotel occupancy privilege tax which exceeds two dollars ($2.00) authorized by this article shall terminate six years from May 21, 2020.

Section 2. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO AVAILABILITY OF FUNDS:

Kevin Crumbo, Director of Finance

APPROVED AS TO FORM AND LEGALITY:

Assistant Metropolitan Attorney

INTRODUCED BY:

Member(s) of Council

D-20-09171 {N0325750.1}

# ORIGINAL

*METROPOLITAN COUNTY COUNCIL*

**Bill No.** BL2020-186

2020 FEB 11 AM 11:53
FILED METROPOLITAN CLERK

An ordinance amending Section 5.12.140 B of the Metropolitan Code to extend the expiration date for the assessment, collection, and administration of the additional hotel occupancy privilege tax of fifty cents.

*Introduced* FEB 18 2020

*Passed First Reading* FEB 18 2020

*Amended* 

*Passed Second Reading* MAR 05 2020

deferred to 4-7-20 on 3-17-20

*Passed Third Reading* APR 07 2020

*Approved* APR 08 2020

*By* John Cooper
*Metropolitan Mayor*

*Advertised* 

*Effective Date* 

Metro Council Office
FEB 07 2020
Time: 10:15a By: BG

{N0022391.1}