



Wood County Hotel/Motel Occupancy Tax Typical Questions and Answers Concerning

1. Who collects this tax in Wood County?

Answer: The Wood County Tax Assessor collects this tax.

2. Who actually pays the tax?

Answer: The hotel guest or customer pays the tax as part of their bill just like the State hotel tax is paid. The hotel/motel occupancy lodging facility has the fiduciary responsibility to legally collect the tax and submit it to the taxing entity, i.e., Wood County.

3. How is the tax collected?

Answer: When state hotel/motel taxes are submitted to the state an additional copy of the state reimbursement form can be made (or use Wood County Hotel/Motel Occupancy Tax Form) and submitted with a check calculated at seven percent of the room charge (less the one percent of the tax collection administrative fee) and mailed to:

*Wood County Tax Assessor
Carol Taylor
P. O. Box 1919
Quitman, TX 75783*

4. Can the hotel owner keep part of the tax collected as a reimbursement for the cost of collecting the tax?

Answer: Yes! The law provides for the owner to retain one percent of the tax as Administrative "reimbursement" for the cost of collecting the tax provided the tax is paid on or before the due date, which is the 20th of the month following the end of the reporting period.

5. Under whose authority is the County permitted to collect this tax?

Answer: The authority is granted by Senate Bill 420 passed by the Texas Senate on March 4, 1997, passed by the Texas House on May 5, 1997 and signed by the Governor on May 19, 1997. Additional legislation was passed in September 2011.

6. Can the money be used for general fund expenditures, i.e. roads, bridges, etc.?

Answer: NO! Money must be used for tourism purposes and items related directly to tourism and tourism related items under the State government code.

7. How may the County delegate the disposition and program administration of the hotel/motel tax funds? *The Commissioners' Court has assigned the Wood County Tax Assessor/Collector the fiduciary responsibility of collecting the tax. The Commissioners' Court has assigned the Wood County Industrial Commission as the responsible entity overseeing the program administration of tourism in Wood County, expending funds as overseen by the county, wisely and in accordance with the law and related to costs incurred directly in the promotion of Wood County as a tourist destination.*

[continued]

8. What if the hotel/hotel, Bed and Breakfast or cabin owner does not want to collect the tax from their guest and submit it to Wood County?

Answer: The County Attorney may bring suit against the person or firm or enjoin the person from operating in the county until the tax is paid. In addition it is a criminal misdemeanor offense to fail to collect the tax, fail to file a return, file a false return, or fail to make timely remittances.

9. Can penalties be assessed for filing delinquent or false returns?

Answer: Yes. Failing to pay the tax when due or failing to file a report when required carries a penalty of five percent of the tax. Failing to pay the tax or file a report 30 days after the day the tax was due or the report was required carries an additional penalty of five percent of the tax. Delinquent taxes and accrued penalties draw interest at the rate of 10 percent a year beginning 60 days after the day on which the tax was due. Recent legislation allows the County to order an audit of an establishment that is delinquent in payments for two consecutive quarters.

SUMMARY: The hotel/motel tax monies will be spent to further tourism activity of Wood County with the goals of increasing the occupancy of the hotels, motels, bed and breakfasts, marina lodging and cabins in the county. The tax rate is seven percent and is collected from the guest of the establishment and forwarded to the County.

Further advice, guidance and information can also be obtained from:

Texas Travel Industry
P. O. Box 13371
Austin, TX 78711
(512) 476-4472

Governor's Office for ED&T
P. O. Box 12728
Austin, TX 78711
(512) 936-0100

Texas Assn. Of Counties
1204 San Antonio St.
Austin, TX 78711
(512) 478-8753

Texas Hotel-Lodging Assn.
900 Congress Ave.
Austin, TX 78701
(512) 474-2996

Wood County Tax Assessor
P.O. Box 1919
Quitman, TX 75783
(903) 763-2261

Comptrollers Office
111 E. 17th St.
Austin, TX 78774
(512) 463-4600