

Chapter 7. Hotel Room Tax

7.701 PURPOSE

The purpose of this statute is to raise revenues for the Little Traverse Bay Bands of Odawa Indians through the imposition of a room tax at hotels located within the Tribe's territorial jurisdiction. This statute repeals and replaces Waganakising Odawak Statute 2010-005 and 2003-04.

(Source: WOS 2024-001, January 15, 2024, Section I)

7.702 DEFINITIONS

- A. "Hotel" means any facility that offers rental lodging to members of the public.
- B. "Non-Profit Organizations" means entities organized and formally certified as such under the laws of LTBB or other governments.
- C. "Other Governments" means tribal, federal and state governments, including their agencies and subdivisions.
- D. "Tax Agreement" means the December 20, 2002 Tax Agreement Between the Little Traverse Bay Bands of Odawa Indians and the State of Michigan, including any amendments and/or successor agreement.
- E. "Territorial Jurisdiction of the Little Traverse Bay Bands of Odawa Indians" means all land that is held in trust by the United States government for the benefit of the Tribe.
- F. "Tribe" or "LTBB" means the Little Traverse Bay Bands of Odawa Indians.

(Source: WOS 2024-001, January 15, 2024, Section II)

7.703 ROOM TAX

- A. **Hotels Exempt from State Tax.** Any hotel located within the Tribe's territorial

jurisdiction that is exempt from the imposition of Michigan sales or use tax under the Tax Agreement shall collect 6% use tax on the price of hotel rooms rented to non-LTBB members. This tax shall be separately itemized and accounted for in the total charge to such patrons, and placed in such accounts as directed by the LTBB Tribal Council.

B. Hotels Subject to State Tax. Any hotel located within the Tribe's territorial jurisdiction that is not exempt from the imposition of Michigan sales or use tax under the Tax Agreement shall collect a 6% use tax in addition to any required state taxes on the price of hotel rooms rented to non-LTBB members. This tax shall be separately itemized and accounted for in the total charge to such patrons, and placed in such accounts as directed by the LTBB Tribal Council.

C. Discretionary Exemptions. Hotels within the territorial jurisdiction of LTBB may exempt representatives of Other Governments and Non-Profit Organizations from Tribal taxes under this section when lodging for official business purposes on behalf of such government or organization.

(Source: WOS 2024-001, January 15, 2024, Section III)

7.704 USE OF FUNDS

The funds collected under the authority of this statute may be used for any lawful purpose as directed by Tribal Council.

(Source: WOS 2024-001, January 15, 2024, Section IV)

7.705 EFFECTIVE DATE

Effective upon signature of the Executive or 30 days from Tribal Council approval, whichever comes first, or if the Executive vetoes the legislation, then upon Tribal Council override of the veto.

(Source: WOS 2024-001, January 15, 2024, Section V)