

1 **WAGANAKISING ODAWAK STATUTE # 2023-_____**
2 **HOTEL ROOM TAX**

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4 **SECTION I. PURPOSE**

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6 The purpose of this statute is to raise revenues for the Little Traverse Bay Bands of
7 Odawa Indians through the imposition of a room tax at hotels located within the Tribe’s
8 territorial jurisdiction.
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11 **SECTION II. DEFINITIONS**

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- 13 **A.** “Hotel” means any facility that offers rental lodging to members of the public.
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- 15 **B.** “Non-Profit Organizations” means entities organized and formally certified as
16 such under the laws of LTBB or other governments.
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- 18 **C.** “Other Governments” means tribal, federal and state governments, including their
19 agencies and subdivisions.
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- 21 **D.** “Tax Agreement” means the December 20, 2002 Tax Agreement Between the
22 Little Traverse Bay Bands of Odawa Indians and the State of Michigan, including any
23 amendments and/or successor agreement.
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- 25 **E.** “Territorial Jurisdiction of the Little Traverse Bay Bands of Odawa Indians”
26 means all land that is held in trust by the United States government for the benefit of the
27 Tribe.
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- 29 **F.** “Tribe” or “LTBB” means the Little Traverse Bay Bands of Odawa Indians.
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32 **SECTION III. ROOM TAX**

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34 **A. Hotels Exempt from State Tax.** Any hotel located within the Tribe’s territorial
35 jurisdiction that is exempt from the imposition of Michigan sales or use tax under the Tax
36 Agreement shall collect 6% use tax on the price of hotel rooms rented to non-LTBB

1 members. This tax shall be separately itemized and accounted for in the total charge to
2 such patrons, and placed in such accounts as directed by the LTBB Tribal Council.

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

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

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17 **SECTION IV. USE OF FUNDS**

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

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23 **SECTION V. EFFECTIVE DATE**

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

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30 **CERTIFICATION**