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H.B. No. 3447

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment and administration of the Texas
3 Aerospace Research and Space Economy Consortium and the Texas Space
4 Commission.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 61, Education Code, is amended by adding
7 Subchapter V-1 to read as follows:

8 SUBCHAPTER V-1. TEXAS AEROSPACE RESEARCH AND SPACE ECONOMY

9 CONSORTIUM

10 Sec. 61.921. DEFINITIONS. In this subchapter:

11 (1) "Consortium" means the Texas Aerospace Research
12 and Space Economy Consortium.

13 (2) "Executive committee" means the executive
14 committee of the consortium.

15 Sec. 61.922. ESTABLISHMENT; PURPOSE. The Texas Aerospace
16 Research and Space Economy Consortium is established to:

17 (1) identify research opportunities for entities
18 within this state that:

19 (A) strengthen this state's proven leadership in
20 civil, commercial, and military aerospace activity;

21 (B) enhance this state's position in aeronautics
22 research and development, astronautics, space commercialization,
23 and space flight infrastructure; and

24 (C) enhance the integration of the space,

1 aeronautics, astronautics, and aviation industries into this
2 state's economy; and

3 (2) provide funding and research recommendations to
4 the Texas Space Commission established under Section 481.552,
5 Government Code.

6 Sec. 61.923. CONSORTIUM COMPOSITION. The consortium is
7 composed of:

8 (1) each institution of higher education; and

9 (2) any other entity that the executive committee
10 considers necessary.

11 Sec. 61.924. ADMINISTRATIVE ATTACHMENT. (a) The
12 consortium is administratively attached to the board for the
13 purpose of receiving and administering appropriations and other
14 funds under this subchapter. The board is not responsible for
15 providing to the consortium staff, human resources, contract
16 monitoring, purchasing, or any other administrative support
17 services.

18 (b) The board may not use funds intended to carry out the
19 purposes of this subchapter for any costs incurred by the board
20 under this subchapter.

21 Sec. 61.925. EXECUTIVE COMMITTEE COMPOSITION. (a) The
22 consortium is governed by an independent executive committee
23 composed of the following nine members:

24 (1) two members appointed by the governor;

25 (2) two members appointed by the lieutenant governor;

26 (3) two members appointed by the speaker of the house
27 of representatives;

1 (4) the chancellor of The Texas A&M University System
2 or the chancellor's designee;

3 (5) the chancellor of The University of Texas System
4 or the chancellor's designee; and

5 (6) the president of Rice University or the
6 president's designee.

7 (b) In making appointments under Subsection (a), the
8 governor, the lieutenant governor, and the speaker of the house of
9 representatives, respectively, shall:

10 (1) prioritize appointing individuals with experience
11 in:

12 (A) aeronautics;

13 (B) space economic development; and

14 (C) academic engagement with the space economy;

15 and

16 (2) ensure that the appointments reflect, to the
17 extent possible, the ethnic and geographic diversity of this state.

18 (c) A vacancy on the executive committee is filled in the
19 same manner as the initial appointment.

20 (d) The executive committee shall:

21 (1) elect a presiding officer from among the members
22 of the committee; and

23 (2) meet at the call of the presiding officer.

24 Sec. 61.926. GIFTS, GRANTS, AND DONATIONS. The executive
25 committee may solicit and accept on behalf of the consortium gifts,
26 grants, or donations from any public or private source for the
27 purpose of carrying out this subchapter.

1 Sec. 61.927. GENERAL DUTIES. (a) The executive committee
2 shall:

3 (1) develop and execute a comprehensive statewide
4 strategic plan to further the purposes of the consortium;

5 (2) gather and coordinate recommendations from
6 consortium members on funding and research opportunities in
7 accordance with the purposes of the consortium; and

8 (3) establish procedures and policies for the
9 administration of the consortium, including:

10 (A) procedures for documenting compliance by
11 members of the committee and consortium and consortium staff with
12 applicable laws governing conflicts of interest;

13 (B) designation of a member of the committee as
14 the committee's liaison to the Texas Space Commission established
15 under Section 481.552, Government Code; and

16 (C) procedures for entering into contracts with
17 The Texas A&M University System as necessary for that system to
18 provide administrative and staff support to the consortium.

19 (b) A member of the consortium under Section 61.923 may
20 participate in consortium fact-finding, strategic planning, and
21 the formation of recommendations for purposes of Subsections (a)(1)
22 and (a)(2). Before assisting the executive committee as provided
23 by this subsection, a member of the consortium must designate a
24 liaison to the executive committee to represent that member.

25 Sec. 61.928. BIENNIAL REPORT. Not later than December 31 of
26 each even-numbered year, the executive committee shall submit to
27 the Texas Space Commission established under Section 481.552,

- 1 Government Code, a written report that includes for that biennium:
2 (1) the activities and objectives of the consortium;
3 (2) a synopsis of the funding and research
4 opportunities identified by the consortium under Section
5 61.927(a);
6 (3) legislative recommendations, if any;
7 (4) prospective grants or funding the consortium
8 members expect to receive, if any; and
9 (5) research accomplishments associated with the
10 consortium, if any.

11 SECTION 2. Chapter 481, Government Code, is amended by
12 adding Subchapter FF to read as follows:

13 SUBCHAPTER FF. TEXAS SPACE COMMISSION

14 Sec. 481.551. DEFINITIONS. In this subchapter:

- 15 (1) "Board" means the board of directors of the
16 commission.
17 (2) "Commission" means the Texas Space Commission.
18 (3) "Fund" means the Space Exploration and Aeronautics
19 Research Fund.
20 (4) "Institution of higher education" has the meaning
21 assigned by Section 61.003, Education Code.

22 Sec. 481.552. ESTABLISHMENT; PURPOSE. (a) The Texas Space
23 Commission is established to strengthen this state's proven
24 leadership in civil, commercial, and military aerospace activity.

25 (b) The purpose of the commission is to promote innovation
26 in the fields of space exploration and commercial aerospace
27 opportunities, including the integration of space, aeronautics,

1 and aviation industries into the economy of this state.

2 Sec. 481.553. BOARD OF DIRECTORS; EXECUTIVE DIRECTOR. (a)

3 The commission is governed by a nine-member board of directors. The
4 board is composed of:

5 (1) three members appointed by the governor;

6 (2) three members appointed by the lieutenant
7 governor; and

8 (3) three members appointed by the governor from a
9 list of names submitted by the speaker of the house of
10 representatives.

11 (b) In making appointments or selecting persons for
12 inclusion on the list submitted to the governor under Subsection
13 (a), the governor, lieutenant governor, and speaker of the house of
14 representatives shall prioritize appointing or selecting, as
15 applicable, individuals with experience in:

16 (1) commercial aerospace;

17 (2) civil aviation;

18 (3) military aerospace;

19 (4) space economic development;

20 (5) space-related academic research; and

21 (6) nonprofit support of the space economy.

22 (c) Members of the board serve two-year terms and may be
23 reappointed for additional terms.

24 (d) A vacancy on the board is filled in the same manner as
25 the initial appointment.

26 (e) The board shall:

27 (1) elect a presiding officer from among the members

1 of the board;

2 (2) appoint an executive director of the commission
3 and determine the title, functions, duties, powers, and salary of
4 the executive director; and

5 (3) adopt rules as necessary to implement the duties
6 of the commission under this subchapter.

7 (f) The executive director of the commission may hire staff
8 as necessary to implement the duties of the commission under this
9 subchapter.

10 Sec. 481.554. ADMINISTRATIVE ATTACHMENT. (a) The
11 commission is administratively attached to the office of the
12 governor.

13 (b) The office of the governor shall provide the commission
14 staff and facilities as necessary to assist the commission in
15 performing the commission's duties under this subchapter.

16 Sec. 481.555. AUTHORITY. The commission may, as necessary
17 to perform the commission's duties under this subchapter:

18 (1) execute contracts and other documents, including
19 by authorizing one or more members of the commission to execute
20 contracts and other documents on behalf of the commission;

21 (2) conduct proceedings and other activities;

22 (3) establish and create boards, committees, or other
23 entities, which may include an advisory board composed of
24 representatives of military, federal government, and private
25 aeronautic entities, and delegate authority or duties to those
26 entities;

27 (4) provide financial services to support

1 aerospace-related development within this state, including by:

2 (A) capitalizing, underwriting, leasing,
3 selling, or securing funding for aerospace-related infrastructure;
4 and

5 (B) acquiring, accepting, or administering
6 grants and contracts to perform activities consistent with the
7 commission's purpose;

8 (5) execute intergovernmental agreements and
9 development agreements consistent with existing law, including
10 with institutions of higher education and nonprofit entities; and

11 (6) engage in the planning and implementation of
12 aerospace-related educational opportunities within this state in
13 coordination with the Texas Aerospace Research and Space Economy
14 Consortium established under Section 61.922, Education Code.

15 Sec. 481.556. STRATEGIC PLAN. (a) The commission shall
16 develop and annually update a strategic plan for the promotion of
17 space, aeronautics, and aviation economic development in this
18 state.

19 (b) The strategic plan must include a list of potential
20 projects that further the purpose of the commission, and, for each
21 project:

22 (1) the estimated total cost for completion, including
23 a potential state matching cost; and

24 (2) an assessment of the availability of external
25 funding sources.

26 (c) The strategic plan may include any other information the
27 commission determines is relevant to furthering the purpose of the

1 commission.

2 (d) The board shall submit the strategic plan to the
3 governor, the lieutenant governor, and the speaker of the house of
4 representatives not later than December 31 of each year.

5 Sec. 481.557. SPACE EXPLORATION AND AERONAUTICS RESEARCH
6 FUND; GRANTS. (a) The commission shall establish the Space
7 Exploration and Aeronautics Research Fund to provide grants to
8 eligible entities as provided by this section.

9 (b) The fund is a trust fund outside the treasury with the
10 comptroller and administered by the commission.

11 (c) The fund is composed of:

12 (1) gifts, grants, or donations provided to the
13 commission; and

14 (2) money from any source designated by the
15 legislature.

16 (d) Using money available in the fund, the commission may
17 provide grants to eligible entities described by Subsection (e) for
18 the purposes of:

19 (1) development of emerging technologies required for
20 any aspect of human space flight;

21 (2) research involving any aspect of space exploration
22 and space flight;

23 (3) workforce training to promote space exploration
24 and space flight; and

25 (4) curation of post-mission materials involved in
26 space exploration and space flight.

27 (e) The following entities are eligible for a grant made

1 under this section:

2 (1) a business or nonprofit entity involved in the
3 space exploration, research, or aeronautics industry; and

4 (2) a governmental entity with which the commission
5 has entered into an intergovernmental agreement for that purpose.

6 (f) The commission shall establish procedures for the
7 administration and approval of grants made under this section,
8 including procedures to ensure that a grant provided under this
9 section is in the public interest and serves the public purpose of
10 economic development and diversification.

11 SECTION 3. This Act takes effect September 1, 2023.