

1-1 By: Bonnen (Senate Sponsor - Huffman) H.B. No. 3447
 1-2 (In the Senate - Received from the House May 2, 2023;
 1-3 May 4, 2023, read first time and referred to Committee on Finance;
 1-4 May 10, 2023, reported favorably by the following vote: Yeas 13,
 1-5 Nays 0; May 10, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15			X	
1-16			X	
1-17			X	
1-18	X			
1-19	X			
1-20	X			
1-21	X			
1-22	X			
1-23	X			
1-24	X			

1-25 A BILL TO BE ENTITLED
 1-26 AN ACT

1-27 relating to the establishment and administration of the Texas
 1-28 Aerospace Research and Space Economy Consortium and the Texas Space
 1-29 Commission.

1-30 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-31 SECTION 1. Chapter 61, Education Code, is amended by adding
 1-32 Subchapter V-1 to read as follows:

1-33 SUBCHAPTER V-1. TEXAS AEROSPACE RESEARCH AND SPACE ECONOMY
 1-34 CONSORTIUM

1-35 Sec. 61.921. DEFINITIONS. In this subchapter:

1-36 (1) "Consortium" means the Texas Aerospace Research
 1-37 and Space Economy Consortium.

1-38 (2) "Executive committee" means the executive
 1-39 committee of the consortium.

1-40 Sec. 61.922. ESTABLISHMENT; PURPOSE. The Texas Aerospace
 1-41 Research and Space Economy Consortium is established to:

1-42 (1) identify research opportunities for entities
 1-43 within this state that:

1-44 (A) strengthen this state's proven leadership in
 1-45 civil, commercial, and military aerospace activity;

1-46 (B) enhance this state's position in aeronautics
 1-47 research and development, astronautics, space commercialization,
 1-48 and space flight infrastructure; and

1-49 (C) enhance the integration of the space,
 1-50 aeronautics, astronautics, and aviation industries into this
 1-51 state's economy; and

1-52 (2) provide funding and research recommendations to
 1-53 the Texas Space Commission established under Section 481.552,
 1-54 Government Code.

1-55 Sec. 61.923. CONSORTIUM COMPOSITION. The consortium is
 1-56 composed of:

1-57 (1) each institution of higher education; and

1-58 (2) any other entity that the executive committee
 1-59 considers necessary.

1-60 Sec. 61.924. ADMINISTRATIVE ATTACHMENT. (a) The

2-1 consortium is administratively attached to the board for the
 2-2 purpose of receiving and administering appropriations and other
 2-3 funds under this subchapter. The board is not responsible for
 2-4 providing to the consortium staff, human resources, contract
 2-5 monitoring, purchasing, or any other administrative support
 2-6 services.

2-7 (b) The board may not use funds intended to carry out the
 2-8 purposes of this subchapter for any costs incurred by the board
 2-9 under this subchapter.

2-10 Sec. 61.925. EXECUTIVE COMMITTEE COMPOSITION. (a) The
 2-11 consortium is governed by an independent executive committee
 2-12 composed of the following nine members:

2-13 (1) two members appointed by the governor;
 2-14 (2) two members appointed by the lieutenant governor;
 2-15 (3) two members appointed by the speaker of the house
 2-16 of representatives;

2-17 (4) the chancellor of The Texas A&M University System
 2-18 or the chancellor's designee;

2-19 (5) the chancellor of The University of Texas System
 2-20 or the chancellor's designee; and

2-21 (6) the president of Rice University or the
 2-22 president's designee.

2-23 (b) In making appointments under Subsection (a), the
 2-24 governor, the lieutenant governor, and the speaker of the house of
 2-25 representatives, respectively, shall:

2-26 (1) prioritize appointing individuals with experience
 2-27 in:

2-28 (A) aeronautics;
 2-29 (B) space economic development; and
 2-30 (C) academic engagement with the space economy;

2-31 and

2-32 (2) ensure that the appointments reflect, to the
 2-33 extent possible, the ethnic and geographic diversity of this state.

2-34 (c) A vacancy on the executive committee is filled in the
 2-35 same manner as the initial appointment.

2-36 (d) The executive committee shall:

2-37 (1) elect a presiding officer from among the members
 2-38 of the committee; and

2-39 (2) meet at the call of the presiding officer.

2-40 Sec. 61.926. GIFTS, GRANTS, AND DONATIONS. The executive
 2-41 committee may solicit and accept on behalf of the consortium gifts,
 2-42 grants, or donations from any public or private source for the
 2-43 purpose of carrying out this subchapter.

2-44 Sec. 61.927. GENERAL DUTIES. (a) The executive committee
 2-45 shall:

2-46 (1) develop and execute a comprehensive statewide
 2-47 strategic plan to further the purposes of the consortium;

2-48 (2) gather and coordinate recommendations from
 2-49 consortium members on funding and research opportunities in
 2-50 accordance with the purposes of the consortium; and

2-51 (3) establish procedures and policies for the
 2-52 administration of the consortium, including:

2-53 (A) procedures for documenting compliance by
 2-54 members of the committee and consortium and consortium staff with
 2-55 applicable laws governing conflicts of interest;

2-56 (B) designation of a member of the committee as
 2-57 the committee's liaison to the Texas Space Commission established
 2-58 under Section 481.552, Government Code; and

2-59 (C) procedures for entering into contracts with
 2-60 The Texas A&M University System as necessary for that system to
 2-61 provide administrative and staff support to the consortium.

2-62 (b) A member of the consortium under Section 61.923 may
 2-63 participate in consortium fact-finding, strategic planning, and
 2-64 the formation of recommendations for purposes of Subsections (a)(1)
 2-65 and (a)(2). Before assisting the executive committee as provided
 2-66 by this subsection, a member of the consortium must designate a
 2-67 liaison to the executive committee to represent that member.

2-68 Sec. 61.928. BIENNIAL REPORT. Not later than December 31 of
 2-69 each even-numbered year, the executive committee shall submit to

3-1 the Texas Space Commission established under Section 481.552,
 3-2 Government Code, a written report that includes for that biennium:
 3-3 (1) the activities and objectives of the consortium;
 3-4 (2) a synopsis of the funding and research
 3-5 opportunities identified by the consortium under Section
 3-6 61.927(a);
 3-7 (3) legislative recommendations, if any;
 3-8 (4) prospective grants or funding the consortium
 3-9 members expect to receive, if any; and
 3-10 (5) research accomplishments associated with the
 3-11 consortium, if any.
 3-12 SECTION 2. Chapter 481, Government Code, is amended by
 3-13 adding Subchapter FF to read as follows:
 3-14 SUBCHAPTER FF. TEXAS SPACE COMMISSION
 3-15 Sec. 481.551. DEFINITIONS. In this subchapter:
 3-16 (1) "Board" means the board of directors of the
 3-17 commission.
 3-18 (2) "Commission" means the Texas Space Commission.
 3-19 (3) "Fund" means the Space Exploration and Aeronautics
 3-20 Research Fund.
 3-21 (4) "Institution of higher education" has the meaning
 3-22 assigned by Section 61.003, Education Code.
 3-23 Sec. 481.552. ESTABLISHMENT; PURPOSE. (a) The Texas Space
 3-24 Commission is established to strengthen this state's proven
 3-25 leadership in civil, commercial, and military aerospace activity.
 3-26 (b) The purpose of the commission is to promote innovation
 3-27 in the fields of space exploration and commercial aerospace
 3-28 opportunities, including the integration of space, aeronautics,
 3-29 and aviation industries into the economy of this state.
 3-30 Sec. 481.553. BOARD OF DIRECTORS; EXECUTIVE DIRECTOR. (a)
 3-31 The commission is governed by a nine-member board of directors. The
 3-32 board is composed of:
 3-33 (1) three members appointed by the governor;
 3-34 (2) three members appointed by the lieutenant
 3-35 governor; and
 3-36 (3) three members appointed by the governor from a
 3-37 list of names submitted by the speaker of the house of
 3-38 representatives.
 3-39 (b) In making appointments or selecting persons for
 3-40 inclusion on the list submitted to the governor under Subsection
 3-41 (a), the governor, lieutenant governor, and speaker of the house of
 3-42 representatives shall prioritize appointing or selecting, as
 3-43 applicable, individuals with experience in:
 3-44 (1) commercial aerospace;
 3-45 (2) civil aviation;
 3-46 (3) military aerospace;
 3-47 (4) space economic development;
 3-48 (5) space-related academic research; and
 3-49 (6) nonprofit support of the space economy.
 3-50 (c) Members of the board serve two-year terms and may be
 3-51 reappointed for additional terms.
 3-52 (d) A vacancy on the board is filled in the same manner as
 3-53 the initial appointment.
 3-54 (e) The board shall:
 3-55 (1) elect a presiding officer from among the members
 3-56 of the board;
 3-57 (2) appoint an executive director of the commission
 3-58 and determine the title, functions, duties, powers, and salary of
 3-59 the executive director; and
 3-60 (3) adopt rules as necessary to implement the duties
 3-61 of the commission under this subchapter.
 3-62 (f) The executive director of the commission may hire staff
 3-63 as necessary to implement the duties of the commission under this
 3-64 subchapter.
 3-65 Sec. 481.554. ADMINISTRATIVE ATTACHMENT. (a) The
 3-66 commission is administratively attached to the office of the
 3-67 governor.
 3-68 (b) The office of the governor shall provide the commission
 3-69 staff and facilities as necessary to assist the commission in

4-1 performing the commission's duties under this subchapter.

4-2 Sec. 481.555. AUTHORITY. The commission may, as necessary
 4-3 to perform the commission's duties under this subchapter:

4-4 (1) execute contracts and other documents, including
 4-5 by authorizing one or more members of the commission to execute
 4-6 contracts and other documents on behalf of the commission;

4-7 (2) conduct proceedings and other activities;

4-8 (3) establish and create boards, committees, or other
 4-9 entities, which may include an advisory board composed of
 4-10 representatives of military, federal government, and private
 4-11 aeronautic entities, and delegate authority or duties to those
 4-12 entities;

4-13 (4) provide financial services to support
 4-14 aerospace-related development within this state, including by:

4-15 (A) capitalizing, underwriting, leasing,
 4-16 selling, or securing funding for aerospace-related infrastructure;
 4-17 and

4-18 (B) acquiring, accepting, or administering
 4-19 grants and contracts to perform activities consistent with the
 4-20 commission's purpose;

4-21 (5) execute intergovernmental agreements and
 4-22 development agreements consistent with existing law, including
 4-23 with institutions of higher education and nonprofit entities; and

4-24 (6) engage in the planning and implementation of
 4-25 aerospace-related educational opportunities within this state in
 4-26 coordination with the Texas Aerospace Research and Space Economy
 4-27 Consortium established under Section 61.922, Education Code.

4-28 Sec. 481.556. STRATEGIC PLAN. (a) The commission shall
 4-29 develop and annually update a strategic plan for the promotion of
 4-30 space, aeronautics, and aviation economic development in this
 4-31 state.

4-32 (b) The strategic plan must include a list of potential
 4-33 projects that further the purpose of the commission, and, for each
 4-34 project:

4-35 (1) the estimated total cost for completion, including
 4-36 a potential state matching cost; and

4-37 (2) an assessment of the availability of external
 4-38 funding sources.

4-39 (c) The strategic plan may include any other information the
 4-40 commission determines is relevant to furthering the purpose of the
 4-41 commission.

4-42 (d) The board shall submit the strategic plan to the
 4-43 governor, the lieutenant governor, and the speaker of the house of
 4-44 representatives not later than December 31 of each year.

4-45 Sec. 481.557. SPACE EXPLORATION AND AERONAUTICS RESEARCH
 4-46 FUND; GRANTS. (a) The commission shall establish the Space
 4-47 Exploration and Aeronautics Research Fund to provide grants to
 4-48 eligible entities as provided by this section.

4-49 (b) The fund is a trust fund outside the treasury with the
 4-50 comptroller and administered by the commission.

4-51 (c) The fund is composed of:

4-52 (1) gifts, grants, or donations provided to the
 4-53 commission; and

4-54 (2) money from any source designated by the
 4-55 legislature.

4-56 (d) Using money available in the fund, the commission may
 4-57 provide grants to eligible entities described by Subsection (e) for
 4-58 the purposes of:

4-59 (1) development of emerging technologies required for
 4-60 any aspect of human space flight;

4-61 (2) research involving any aspect of space exploration
 4-62 and space flight;

4-63 (3) workforce training to promote space exploration
 4-64 and space flight; and

4-65 (4) curation of post-mission materials involved in
 4-66 space exploration and space flight.

4-67 (e) The following entities are eligible for a grant made
 4-68 under this section:

4-69 (1) a business or nonprofit entity involved in the

5-1 space exploration, research, or aeronautics industry; and
5-2 (2) a governmental entity with which the commission
5-3 has entered into an intergovernmental agreement for that purpose.

5-4 (f) The commission shall establish procedures for the
5-5 administration and approval of grants made under this section,
5-6 including procedures to ensure that a grant provided under this
5-7 section is in the public interest and serves the public purpose of
5-8 economic development and diversification.

5-9 SECTION 3. This Act takes effect September 1, 2023.

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