

House Bill 3447
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

Sec. 61.921. DEFINITIONS. In this subchapter:

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

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

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

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

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

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

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

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

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

(1) each institution of higher education; and

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

Sec. 61.924. ADMINISTRATIVE ATTACHMENT. (a) The

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(B) enhance this state's position in aeronautics and space research and development, astronautics, space commercialization, and space flight infrastructure; and
[FA1(1)]

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

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

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

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

Sec. 61.925. EXECUTIVE COMMITTEE COMPOSITION.

(a) The consortium is governed by an independent executive committee composed of the following nine members:

(1) two members appointed by the governor;

(2) two members appointed by the lieutenant governor;

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

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

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

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

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

(1) prioritize appointing individuals with experience in:

(A) aeronautics;

(B) space economic development; and

(C) academic engagement with the space economy; and

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

(c) A vacancy on the executive committee is filled in the

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same manner as the initial appointment.

(d) The executive committee shall:

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

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

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

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

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

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

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

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

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

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

(b) A member of the consortium under Section 61.923 may participate in consortium fact-finding, strategic planning, and the formation of recommendations for purposes of Subsections (a)(1) and (a)(2). Before assisting the executive committee as provided by this subsection, a member of the

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consortium must designate a liaison to the executive committee to represent that member.

Sec. 61.928. BIENNIAL REPORT. Not later than December 31 of each even-numbered year, the executive committee shall submit to the Texas Space Commission established under Section 481.552, Government Code, a written report that includes for that biennium:

- (1) the activities and objectives of the consortium;
- (2) a synopsis of the funding and research opportunities identified by the consortium under Section 61.927(a);
- (3) legislative recommendations, if any;
- (4) prospective grants or funding the consortium members expect to receive, if any; and
- (5) research accomplishments associated with the consortium, if any.

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

SUBCHAPTER FF. TEXAS SPACE COMMISSION

Sec. 481.551. DEFINITIONS. In this subchapter:

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

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

- (b) The purpose of the commission is to promote innovation

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in the fields of space exploration and commercial aerospace opportunities, including the integration of space, aeronautics, and aviation industries into the economy of this state.

Sec. 481.553. BOARD OF DIRECTORS; EXECUTIVE DIRECTOR. (a) The commission is governed by a nine-member board of directors. The board is composed of:

- (1) three members appointed by the governor;
- (2) three members appointed by the lieutenant governor; and
- (3) three members appointed by the governor from a list of names submitted by the speaker of the house of representatives.

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

- (1) commercial aerospace;
- (2) civil aviation;
- (3) military aerospace;
- (4) space economic development;
- (5) space-related academic research; and
- (6) nonprofit support of the space economy.

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

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

(e) The board shall:

- (1) elect a presiding officer from among the members of the board;
- (2) appoint an executive director of the commission and determine the title, functions, duties, powers, and salary of the

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in the fields of space exploration and **discovery and** commercial aerospace opportunities, including the integration of space, aeronautics, and aviation industries into the economy of this state. [FA1(2)]

Sec. 481.553. BOARD OF DIRECTORS; EXECUTIVE DIRECTOR. (a) The commission is governed by a nine-member board of directors. The board is composed of:

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executive director; and

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

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

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

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

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

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

(2) conduct proceedings and other activities;

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

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

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

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

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(5) execute intergovernmental agreements and development agreements consistent with existing law, including with institutions of higher education and nonprofit entities; and
(6) engage in the planning and implementation of aerospace-related educational opportunities within this state in coordination with the Texas Aerospace Research and Space Economy Consortium established under Section 61.922, Education Code.

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

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

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

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

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

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

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

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

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(5) execute intergovernmental agreements and development agreements consistent with existing law, including with institutions of higher education and nonprofit entities; and
(6) engage in the planning and implementation of aerospace-related educational opportunities within this state in coordination with the Texas Aerospace Research and Space Economy Consortium established under Section 61.922, Education Code.

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

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

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(c) The fund is composed of:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) research involving any aspect of space exploration and discovery and space flight; [FA1(3)]

(3) workforce training to promote space exploration and discovery and space flight; and [FA1(4)]

(4) curation and analysis of post-mission materials involved in space exploration and discovery and space flight. [FA1(5)-(6)]

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

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

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

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

SECTION 3. Same as House version.

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