

BILL ANALYSIS

Senate Research Center
89R12169 MZM-F

H.B. 4157
By: Bonnen (Hinojosa, Adam)
State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

With the increasing presence of commercial space flight in Texas, the outdated statutes of the past are no longer sufficient to ensure liability protections are adequate. The proposed bill will update the Texas statute to bar employees of spaceflight companies from bringing claims against their company. Employees are able to waive their claims against a spaceflight entity but not waive their claims under workers' compensation laws.

In addition, the bill affirmatively recognizes federal waivers between commercial spaceflight companies and their customers/passengers. Federal law requires that passengers waive and release claims resulting from death, damage, loss, or harm to property during flight. These waivers are essential to allow spaceflight companies to pursue innovation. While it is likely that the federal waivers would hold up in state court, it has not been tested. As such, the bill seeks to affirm the federal waivers in state statute.

H.B. 4157 amends current law relating to liability protections for commercial space flight and exploration.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 100A.001(5), Civil Practice and Remedies Code, to redefine "space flight participant."

SECTION 2. Amends Section 100A.003(b), Civil Practice and Remedies Code, to delete existing text providing that an agreement under Subsection (a) (relating to requiring a space participant to sign an agreement and warning statement before participating in any space flight activity) is considered effective and enforceable if it is signed by a competent witness and to make nonsubstantive changes.

SECTION 3. Amends Chapter 100A, Civil Practice and Remedies Code, by adding Section 100A.005, as follows:

Sec. 100A.005. RECOGNITION OF RECIPROCAL WAIVER OF CLAIMS. Provides that a reciprocal waiver of claims between parties engaged in space flight activities under the Federal Aviation Regulations in 14 C.F.R. Section 440.17 is effective and enforceable in this state, including a waiver by a contractor, subcontractor, or customer of any party participating in a space flight activity.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2025.