

## **BILL ANALYSIS**

S.B. 1198  
By: Birdwell  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill sponsor has informed the committee that spaceports are a vital part of the Texas economy, with the commercial space industry employing thousands of Texans and generating an economic impact worth tens of billions. The bill sponsor has also informed the committee that spaceports play a pivotal role when it comes to national security, as they serve as the location for the development, manufacturing, and testing of certain technologies prioritized by the U.S. Department of Defense. The legislature passed H.B. 3557 in the 86th Regular Session and S.B. 1308 in the 88th Regular Session, seeking to protect certain vital state assets from potential attack by creating criminal offenses for damaging critical infrastructure facilities, such as oil and gas pipelines, and for damaging airports and military installations. S.B. 1198 seeks to designate spaceports as critical infrastructure facilities for purposes of criminal and civil liability.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1198 amends the Government Code to include the following property and facilities in the definition of "critical infrastructure facility" for the purposes of criminal and civil liability provided under statutory provisions relating to the protection of such facilities:

- any property or facility that is, as follows:
  - used for the launch, landing, recovery, or testing of spacecraft, defined by reference to statutory provisions relating to spaceport development corporations; and
  - licensed by the Federal Aviation Administration or operated by a spaceport development corporation under those provisions; and
- any such property that is under construction and all equipment and appurtenances used during that construction.

S.B. 1198 applies only to an offense committed on or after the bill's effective date. An offense committed before the bill's effective date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense was committed before that date. The bill applies only to a cause of action that accrues on or after the bill's effective date. A cause of action that accrues before the bill's effective date is governed by

the law in effect on the date the cause of action accrued, and the former law is continued in effect for that purpose.

**EFFECTIVE DATE**

September 1, 2025.