

## **BILL ANALYSIS**

Senate Research Center  
89R18028 KRM-F

C.S.S.B. 2230  
By: Hinojosa, Adam  
Natural Resources  
3/26/2025  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law allows the Cameron County commissioners court to temporarily close beaches or restrict access during spaceflight launches to protect public safety. Any closures must comply with local beach access and dune protection plans, with the General Land Office having the authority to approve or deny requests, establish agreements with counties, and adopt rules governing beach closures. S.B. 2230 provides that at the time of a spaceflight launch, if deemed necessary by the Federal Aviation Administration (FAA), the county must compel the evacuation of any unauthorized person from a hazard area.

S.B. 2230 amends Section 61.132 of the Natural Resources Code by modifying Subsection (c) and adding Subsection (g) to mandate evacuations when deemed necessary by the FAA and to establish a criminal penalty for violating evacuation orders.

(Original Author's/Sponsor's Statement of Intent)

#### **Summary of Differences Between S.B. 2230 and C.S.S.B. 2230**

##### **1. Evacuation Authority Shift:**

- Filed Version: Required the county commissioners court to by order compel the evacuation of unauthorized persons from a hazard area during spaceflight activities.
  - Committee Substitute:
  - Requires the municipality (if applicable) to by ordinance compel evacuations by ordinance.
  - Authorizes the county commissioners court to by order compel evacuations at its discretion, but does not require it.

##### **2. Inclusion of Municipal Authority:**

- Filed Version:
  - Did not include municipal authority.
- Committee Substitute:
  - Explicitly gives the governing body of a municipality the mandatory duty to enforce evacuations if launch operations fall under its jurisdiction.

##### **3. Contingent Effective Date:**

- Filed Version:
  - Contained a standard effective date.
- Committee Substitute:
  - Makes S.B. 2230 contingent on the passage of S.B. 2188 or similar legislation related to beach closures for spaceflight activities. If S.B. 2188 (or a similar bill) does not become law, S.B. 2230 will not take effect.

##### **4. No Change to Criminal Penalties:**

Both versions establish that violating an evacuation order is a Class B misdemeanor, escalating to a Class A misdemeanor for repeat offenses.

C.S.S.B. 2230 amends current law relating to the evacuation of unauthorized persons from a hazard area in connection with space flight activities and creates a criminal offense.

### **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 61.132, Natural Resources Code, by adding Subsections (c-1) and (c-2), as follows:

(c-1) Provides that, to protect the public health, safety, and welfare:

(1) the governing body of a municipality to which proposed primary and backup dates for space flight activities are submitted under Subsection (b)(1) by ordinance is required to compel the evacuation of any unauthorized person from a hazard area, as calculated by the Federal Aviation Administration under 14 C.F.R. Section 450.133(c), on the date on which space flight activities are conducted; and

(2) a commissioners court to which proposed primary and back up dates for space flight activities are submitted under Subsection (b)(2) or (b-1) by order is authorized to compel the evacuation of any unauthorized person from a hazard area, as calculated by the Federal Aviation Administration under 14 C.F.R. Section 450.133(c), on the date on which space flight activities are conducted.

(c-2) Provides that a person commits an offense if the person violates an ordinance or order adopted under Subsection (c-1). Provides that an offense under this subsection is a Class B misdemeanor, except that the offense is a Class A misdemeanor if the actor has previously been convicted of an offense under this subsection.

SECTION 2. (a) Effective date, except as provided by Subsection (b): upon passage or September 1, 2025.

(b) Makes application of this Act contingent upon passage of S.B. 2188 or similar legislation of the 89th Legislature, Regular Session, 2025, relating to the closure of beaches for space flight activities.