

1-1 By: Hinojosa of Nueces S.B. No. 2188
1-2 (In the Senate - Filed March 10, 2025; March 13, 2025, read
1-3 first time and referred to Committee on Natural Resources;
1-4 March 27, 2025, reported favorably by the following vote: Yeas 6,
1-5 Nays 1; March 27, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
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 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to space flight activities.
1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-21 SECTION 1. Subchapter A, Chapter 482, Government Code, is
1-22 amended by adding Section 482.002 to read as follows:
1-23 Sec. 482.002. JURISDICTION OVER SPACE FLIGHT ACTIVITIES.
1-24 (a) In this section, "space flight activities" has the meaning
1-25 assigned by Section 100A.001, Civil Practice and Remedies Code.
1-26 (b) Space flight activities are subject to the exclusive
1-27 jurisdiction of the federal government and this state. Except as
1-28 provided by Section 61.132, Natural Resources Code, a county,
1-29 municipality, or other political subdivision may not enact or
1-30 enforce any measure that bans, limits, or otherwise regulates space
1-31 flight activities.
1-32 SECTION 2. Section 61.132, Natural Resources Code, is
1-33 amended to read as follows:
1-34 Sec. 61.132. CLOSING OF BEACHES FOR SPACE FLIGHT
1-35 ACTIVITIES. (a) In this section, "spaceport" has the meaning
1-36 assigned by Section 507.001, Local Government Code.
1-37 (a-1) This section applies only to:
1-38 (1) a county that:
1-39 (A) borders ~~bordering on~~ the Gulf of Mexico or
1-40 its tidewater limits; and
1-41 (B) ~~that~~ contains a launch site the
1-42 construction and operation of which have been approved in a record
1-43 of decision or finding of no significant impact issued by the
1-44 Federal Aviation Administration following the preparation of an
1-45 environmental assessment or environmental impact statement by that
1-46 administration; and
1-47 (2) a municipality with a population of less than
1-48 150,000 that:
1-49 (A) is located in a county described by
1-50 Subdivision (1);
1-51 (B) contains a spaceport; and
1-52 (C) has a beach access and use plan adopted and
1-53 certified under Section 61.015.
1-54 (b) A person planning to conduct space flight activities
1-55 between Monday at 8 a.m. and Friday at 12 noon ~~a launch~~ in a county
1-56 to which this section applies must submit ~~to the commissioners~~
1-57 ~~court~~ proposed primary and backup ~~launch~~ dates for the space
1-58 flight activities to:
1-59 (1) the governing body of a municipality to which this
1-60 section applies; or
1-61 (2) if Subdivision (1) is not applicable, the

commissioners court ~~[the launch]~~.

(b-1) A person planning to conduct space flight activities between Friday at 12 noon and Monday at 8 a.m. in a county to which this section applies must submit to the commissioners court proposed primary and backup dates for the space flight activities.

(c) To protect the public health, safety, and welfare, the governing body of a municipality or the commissioners court, as applicable, under Subsection (b) or the commissioners court under Subsection (b-1) by ordinance or order may temporarily close a beach in reasonable proximity to the ~~[launch]~~ site of space flight activities or access points to the beach in the county on a primary or backup ~~[launch]~~ date for space flight activities, subject to Subsections ~~[Subsection]~~ (d), (e), and (h).

(d) The governing body of a municipality or the commissioners court may not close a beach or access points to the beach for space flight activities on a ~~[primary launch]~~ date consisting of any of the following days without the approval of the land office:

- (1) the Saturday or Sunday preceding Memorial Day;
- (2) Memorial Day;
- (3) July 4;
- (4) Labor Day; or
- (5) a Saturday or Sunday that is after Memorial Day but before Labor Day.

(e) When closing a beach or access point under this section, the governing body of a municipality and the ~~[The]~~ commissioners court must comply with:

(1) the beach closure restrictions described in the Federal Aviation Administration's environmental evaluation of the site;

(2) the municipality's and county's beach access and use plans ~~[plan]~~ adopted and certified under Section 61.015; and

(3) any applicable dune protection plan adopted and certified under Chapter 63 ~~[when closing a beach or access point under this section]~~.

(f) The land office may:

(1) approve or deny a beach or access point closure request under Subsection (d);

(2) enter into a memorandum of agreement with the governing body of a municipality or the commissioners court of a county to which this section applies to govern beach and access point closures made under this section; and

(3) adopt rules to govern beach and access point closures made under this section.

(g) A person planning to conduct space flight activities shall provide notice to the public of any closure of a beach or access points to the beach not less than 48 hours before the closure.

(h) If an ordinance adopted by the governing body of a municipality under Subsection (c) conflicts with an order adopted by the commissioners court under that subsection, the municipal ordinance prevails.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

* * * * *