

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #: HB 97 (SB 634)

FINAL HOUSE FLOOR ACTION:

SPONSOR(S): Workman; and others
(Benacquisto; and others)

115 Y's

0 N's

**COMPANION
BILLS:** SB 634

GOVERNOR'S ACTION: Approved

SUMMARY ANALYSIS

HB 97 passed the House on January 25, 2012, as SB 634. The bill defines the term 'launch support facilities' and deletes the term 'spaceport launch facilities.' "Launch support facilities," as defined by the bill, are facilities that are located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, and flight safety functions, as well as payload operations, control, and processing. This change is intended to provide an updated definition of spaceport infrastructure for state and federal purposes.

The bill does not have a fiscal impact.

The bill was approved by the Governor on April 6, 2012, ch. 2012-1, Laws of Florida. The effective date of the bill is July 1, 2012.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

Florida's Aerospace Economic Development Organization

Florida's aerospace industry is integral to the state's long-term success in diversifying and building a knowledge-based economy that is able to support the creation of high-value-added businesses and jobs.¹ As such, the Florida Legislature found that a strong public and private commitment was required to foster the growth and development of a sustainable and world-leading aerospace industry in the state.² Space Florida³ is one manifestation of this commitment, and among many other things, fosters economic development by:

- enhancing the state's workforce, education and research capabilities, with an emphasis on mathematics, science, engineering and related fields;
- focusing on the state's economic development efforts in order to capture a larger share of activity in aerospace research, technology, production and commercial operations, while maintaining the state's historical leadership in space launch activities;
- preserving the unique national role served by the Cape Canaveral Air Force Station and the John F. Kennedy Space Center by reducing costs and improving the regulatory flexibility for commercial sector launches, while pursuing the development of complementary sites for commercial horizontal launches; and
- facilitating business financing, and when necessary, entering into memoranda of agreement with municipalities, counties, regional authorities, state and federal agencies and other organizations, as well as other interested persons or groups.⁴

As an independent special district and political subdivision of the state, Space Florida has all the powers, rights, privileges and authority as provided under Florida law.⁵ This authority allows Space Florida to act as a special purpose government and finance vehicle to carry out the legislative intent behind its creation. In doing so, Space Florida is governed by an independent board of directors and an advisory council.⁶ Securing funding for aerospace related infrastructure is one of the many duties and responsibilities of the board of directors.⁷

Inconsistent Definitions of Spaceport Infrastructure

Florida's current definition of 'spaceport launch facilities' uses outdated terminology. Currently, Florida law uses the term 'spaceport launch facilities' and defines it to mean "industrial facilities . . . [including] any launch pad, launch control center, and fixed launch support equipment."⁸ Federally, the term 'launch support facilities' means "facilities located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, flight safety functions, payload operations, control and processing."⁹

¹ s. 331.3011(1), F.S.

² s. 331.3011(2), F.S.

³ Space Florida was created by ch. 2006-60, L.O.F., and codified in ch. 331, F.S.

⁴ Id.

⁵ Id.

⁶ s. 331.3081(1), (2), F.S.

⁷ s. 331.310(1)(d), F.S.

⁸ s. 331.303(17), F.S.

⁹ 51 USC § 50501 (formerly cited as 15 USC § 5802(7)).

Effect of Changes

The bill amends s. 331.303, F.S., to define the term 'launch support facilities' and to delete the term 'spaceport launch facilities.' The new definition is intended to parallel the broader federal definition of 'launch support facilities.'

The new definition states:

"Launch support facilities" are facilities that are located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, and flight safety functions, as well as payload operations, control, and processing.

Space Florida maintains that the effect of the proposed changes will allow for the following:

- the ability to better fund infrastructure upgrades and improvements to space-related facilities by using Strategic Intermodal System monies more appropriately for space infrastructure projects not airport related; and
- the alignment of federal and state definitions so that any future federal grants may qualify for the same projects.

According to Space Florida, a clear definition of spaceport infrastructure is critical to fulfilling all of the economic development needs of Florida's aerospace industry, and thus creating jobs in a variety of high-value-added sectors.¹⁰

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

¹⁰ See Space Florida's information on its 2012 Legislative Priorities. Information can be accessed at <http://www.spaceflorida.gov/legislative> (Last viewed 10/7/2011).

None.