

SENATE BILL 176

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO ECONOMIC DEVELOPMENT; LIMITING FEES CHARGED BY THE
SPACEPORT AUTHORITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 58-31-3 NMSA 1978 (being Laws 2005,
Chapter 128, Section 3, as amended) is amended to read:

"58-31-3. DEFINITIONS.--As used in the Spaceport
Development Act:

A. "authority" means the spaceport authority;

B. "project" means ~~[any]~~ a parcel of land, building
or other ~~[improvements]~~ improvement acquired as part of a
spaceport or associated with a spaceport or to aid commerce in
connection with a spaceport and all real and personal property
deemed necessary in connection with the spaceport;

C. "revenue" means municipal regional spaceport

1 gross receipts tax and county regional spaceport gross receipts
2 tax revenue received from a regional spaceport district,
3 revenue generated by a project and any other legally available
4 funds of the authority;

5 D. "space vehicle" means a vehicle capable of being
6 flown in space or launching a payload into space; and

7 E. "spaceport" means a facility in New Mexico at
8 which space vehicles may be launched or landed, including all
9 facilities and support infrastructure related to launch,
10 landing or payload processing."

11 SECTION 2. Section 58-31-5 NMSA 1978 (being Laws 2005,
12 Chapter 128, Section 5, as amended) is amended to read:

13 "58-31-5. AUTHORITY POWERS AND DUTIES.--

14 A. The authority shall:

15 (1) hire an executive director, who shall
16 employ the necessary professional, technical and clerical staff
17 to enable the authority to function efficiently and shall
18 direct the affairs and business of the authority, subject to
19 the direction of the authority;

20 (2) be located within fifty miles of a
21 southwest regional spaceport;

22 (3) advise the governor, the governor's staff
23 and the New Mexico finance authority oversight committee on
24 methods, proposals, programs and initiatives involving a
25 southwest regional spaceport that may further stimulate space-

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1 related business and employment opportunities in New Mexico;

2 (4) initiate, develop, acquire, own,
3 construct, maintain and lease space-related projects;

4 (5) make and execute all contracts and other
5 instruments necessary or convenient to the exercise of its
6 powers and duties;

7 (6) create programs to expand high-technology
8 economic opportunities within New Mexico;

9 (7) create avenues of communication among
10 federal government agencies, the space industry, users of space
11 launch services and academia concerning space business;

12 (8) promote legislation that will further the
13 goals of the authority and development of space business;

14 (9) oversee and fund production of promotional
15 literature related to the authority's goals;

16 (10) identify science and technology trends
17 that are significant to space enterprise and the state and act
18 as a clearinghouse for space enterprise issues and information;

19 (11) coordinate and expedite the involvement
20 of the state executive branch's space-related development
21 efforts; and

22 (12) perform environmental, transportation,
23 communication, land use and other technical studies necessary
24 or advisable for projects and programs or to secure licensing
25 by appropriate United States agencies.

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1 B. The authority may:

2 (1) advise and cooperate with municipalities,
3 counties, state agencies and organizations, appropriate federal
4 agencies and organizations and other interested persons and
5 groups;

6 (2) solicit and accept federal, state, local
7 and private grants of funds or property and financial or other
8 aid for the purpose of carrying out the provisions of the
9 Spaceport Development Act;

10 (3) adopt rules governing the manner in which
11 its business is transacted and the manner in which the powers
12 of the authority are exercised and its duties performed;

13 (4) operate spaceport facilities, including
14 acquisition of real property necessary for spaceport facilities
15 and the filing of necessary documents with appropriate
16 agencies;

17 (5) construct, purchase, accept donations of
18 or lease projects located within the state;

19 (6) sell, lease or otherwise dispose of a
20 project upon terms and conditions acceptable to the authority
21 and in the best interests of the state;

22 (7) issue revenue bonds and borrow money for
23 the purpose of defraying the cost of acquiring a project by
24 purchase or construction and of securing the payment of the
25 bonds or repayment of a loan;

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1 (8) enter into contracts with regional
2 spaceport districts and issue bonds on behalf of regional
3 spaceport districts for the purpose of financing the purchase,
4 construction, renovation, equipping or furnishing of a regional
5 spaceport or a spaceport-related project;

6 (9) refinance a project;

7 (10) contract with any competent private or
8 public organization or individual to assist in the fulfillment
9 of its duties;

10 (11) fix, alter, charge and collect tolls,
11 fees or rentals and impose any other charges for the use of or
12 for services rendered by any authority facility, program or
13 service; provided that:

14 (a) an annual rental fee for a given
15 project shall be for a fixed rate and not vary based on changes
16 in the space market, amount of project use or other condition;
17 and

18 (b) an annual fee for general services
19 and use of common spaceport facilities for a given rental
20 customer shall not be less than seventy percent of that
21 customer's annual project rental fee; and

22 (12) contract with regional spaceport
23 districts to receive municipal spaceport gross receipts tax and
24 county regional spaceport gross receipts tax revenues.

25 C. The authority shall not:

1 (1) incur debt as a general obligation of the
2 state or pledge the full faith and credit of the state to repay
3 debt; or

4 (2) expend funds or incur debt for the
5 improvement, maintenance, repair or addition to property unless
6 it is owned by the authority, the state or a political
7 subdivision of the state."

8 **SECTION 3. APPLICABILITY.**--The provisions of this act
9 apply to contracts executed on or after the effective date of
10 this act.

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