

1 SENATE BILL 176

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 George K. Muñoz

10 AN ACT

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

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

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

17 "58-31-3. DEFINITIONS.--As used in the Spaceport  
18 Development Act:

19 A. "authority" means the spaceport authority;

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

25 C. "revenue" means municipal regional spaceport

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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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related business and employment opportunities in New Mexico;

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

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

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

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

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

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

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

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

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

B. The authority may:

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

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

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

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

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

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

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

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

(9) refinance a project;

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

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

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

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

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

c. The authority shall not:

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

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

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

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