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FISCAL IMPACT REPORT

BILL NUMBER: Senate Bill 176

SHORT TITLE: Limit Spaceport Fees

SPONSOR: Muñoz

LAST UPDATE: 2/2/2026 **ORIGINAL DATE:** 2/2/2026 **ANALYST:** Francis

REVENUE* (dollars in thousands)

Type	FY26	FY27	FY28	FY29	FY30	Recurring or Nonrecurring	Fund Affected
Spaceport	Choose an item.	Indeterminate	Indeterminate	Indeterminate	Indeterminate	Recurring	Other State Funds

Parentheses indicate revenue decreases.

*Amounts reflect most recent analysis of this legislation.

Relates to House Bill 203, SM 9

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

NM Spaceport Authority

SUMMARY

Synopsis of Senate Bill 176

Senate bill 176 (SB176) amends the Spaceport Development Act by providing constraints on the rental fees levied for use of or for services by the Spaceport Authority. The authority may fix, alter, charge and collect tolls, fees or rentals and impose any other charges for the use of or services rendered. SB176 adds two constraints. First, annual rent fees for a given project will be fixed and, second, annual fees for general use of facilities will be at least 70 percent of the customer's annual project rental fee.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, which is May 20, 2026. Provisions shall apply to contracts executed on or after the effective date.

FISCAL IMPLICATIONS

The fiscal impact of SB176 would be any losses due to the new system of fees. New Mexico

Spaceport Authority (NMSA) reports that fees charged “vary depending on the services provided, which in turn depend on the customer’s specific needs.” The requirement that the fees be fixed rather than allowed to vary suggests potentially lost revenue for NMSA.

SIGNIFICANT ISSUES

NMSA reports that rental fees and general service/user fees are not connected for most customers. “Creating a linkage in contracts imposes conditions on customer agreements that are likely unsubstantiated. This would constrain the Spaceport Authority’s ability to find and retain customers.

NMSA provides background on how it works with customers:

Spaceport customers operate on-site in a myriad of ways, sometimes using spaceport facilities or building their own. A few customers have long-term land and/or facilities leases. Many other customers are only there periodically throughout the year or just once. These periods can be for days, weeks, months, or years. Fees charged by Spaceport America vary depending on the services provided, which in turn depend on the customer's specific needs.

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