

# An Act

ENROLLED SENATE  
BILL NO. 912

By: Rosino and Haste of the  
Senate

and

Archer, Blancett, and Menz  
of the House

An Act relating to the Oklahoma Space Industry Development Act; amending 3 O.S. 2021, Section 84, as amended by Section 3, Chapter 126, O.S.L. 2023 (3 O.S. Supp. 2024, Section 84), which relates to the Oklahoma Department of Aerospace and Aeronautics Act; modifying number of members of the Oklahoma Aerospace and Aeronautics Commission; granting certain appointing authority to President Pro Tempore of the Senate and Speaker of the House of Representatives; providing qualifications for certain members of Commission; amending 74 O.S. 2021, Sections 5202, 5204, 5205, 5207, as amended by Section 1, Chapter 222, O.S.L. 2023, 5208.1, 5209, 5219, 5220, 5225, 5226, 5227, 5228, 5229, 5231, 5234, and 5235 (74 O.S. Supp. 2024, Section 5207), which relate to the Oklahoma Space Industry Development Act; defining terms; providing for certain Commission to become Board of Directors of the Oklahoma Space Industry Development Authority; allowing certain authority to contract with certain department for certain purposes; designating Executive Director of certain department as chief executive officer of certain authority; repealing 74 O.S. 2021, Section 5206, which relates to the activation of the Oklahoma Space Industry Development Authority; updating statutory language; updating statutory references; providing for recodification; providing an effective date; and declaring an emergency.

SUBJECT: Oklahoma Space Industry Development Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 3 O.S. 2021, Section 84, as amended by Section 3, Chapter 126, O.S.L. 2023 (3 O.S. Supp. 2024, Section 84), is amended to read as follows:

Section 84. A. There is hereby created the Oklahoma Aerospace and Aeronautics Commission, which shall be the successor to the Oklahoma Aviation Commission created by Section 81 et seq. of this title. The Oklahoma Aerospace and Aeronautics Commission shall consist of ~~seven (7)~~ nine (9) members, ~~who seven of whom shall be appointed by the Governor and who shall continue in office, as designated by the Governor at the time of appointment, through the last day of the second, third, fourth, fifth, sixth, and seventh calendar years, respectively, following the passage of Section 81 et seq. of this title, with the initial seventh member remaining in office until the end of the calendar year 1979, one of whom shall be appointed by the President Pro Tempore of the Senate, and one of whom shall be appointed by the Speaker of the House of~~ Representatives. The ~~successors of the members initially appointed~~ shall be appointed for terms of six (6) years in the same manner as the members originally appointed under Section 81 et seq. of this title, except that any person appointed to fill a vacancy shall be appointed only for the remainder of such term. Each member shall serve until the appointment and qualification of a successor. One member shall be appointed from each congressional district and any remaining members shall be appointed from the state at large. However, when congressional districts are redrawn, each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn districts which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member. No appointments may be made after July 1 of the year in which such modification becomes effective if such appointment would result in more than two members serving from the same modified

district. To qualify for appointment to the Commission, an appointee shall ~~have the following minimum qualifications:~~

~~1. A be a~~ citizen and bona fide resident of the state; ~~and~~

~~2. Three.~~ The seven (7) members appointed by the Governor shall have at least three (3) years' experience in aeronautical activities, such as general aviation, agricultural aviation, airport management, or air carrier operation. The two members appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall have at least three (3) years' experience in the commercial space industry, a state or federal space agency, or administration.

Members of the Commission shall receive no salary but shall be entitled to be reimbursed for necessary travel expenses pursuant to the State Travel Reimbursement Act. The members of the Commission may be removed by the Governor for inefficiency, neglect of duty, or malfeasance in office in the manner provided by law for the removal of officers not subject to impeachment.

B. 1. The Director of the Oklahoma Department of Aerospace and Aeronautics shall be appointed by the Commission, and shall serve at the pleasure of the Commission. The Director shall be appointed with due regard to such person's fitness, by aeronautical education and by knowledge of and recent practical experience in aeronautics for the efficient dispatch of the powers and duties duly vested in and imposed upon the Director. The Director shall devote full time to the duties of the office and shall not be actively engaged or employed in any other business, vocation, or employment, nor shall the Director have any pecuniary interest in or any stock in or bonds of any civil aeronautics enterprise. The Director shall be reimbursed for all traveling and other expenses incurred in the discharge of the official duties of the Director, subject to general statutory limitations on such expenses as contained in the State Travel Reimbursement Act.

2. The Director shall be the executive officer of the Department and under its supervision shall administer the provisions of Section 81 et seq. of this title and rules, regulations, and orders established thereunder and all other laws of the state relative to aeronautics. The Director shall attend all meetings of

the Commission, but shall have no vote. The Director shall be in charge of the offices of the Department and responsible for the preparation of reports and the collection and dissemination of data and other public information relating to aerospace and aeronautics. The Director is hereby empowered to execute all contracts entered into by the Commission.

3. The Commission may, by written order filed in its office, delegate to the Director any of the powers or duties vested in or imposed upon it by Section 81 et seq. of this title. Such delegated powers and duties may be exercised by the Director in the name of the Commission.

4. The Director shall appoint, subject to the approval of the Commission, such experts, field and office assistants, clerks, and other employees as may be required and authorized for the proper discharge of the functions of the Department.

C. The Commission shall, within thirty (30) days after its appointment, organize, adopt a seal, and make such rules and regulations for its administration, not inconsistent herewith, nor inconsistent with, or contrary to, any act of the United States Congress ~~of the United States~~ or regulations promulgated or standards established pursuant thereto, as it may deem expedient and from time to time amend such rules and regulations. At such organizational meeting it shall elect from among its members a chair, a vice chair, and a secretary, to serve for one (1) year, and annually thereafter shall elect such officers, all to serve until their successors are appointed and qualified. The Commission shall schedule meetings at a convenient time and place as they become necessary. ~~Four (4)~~ Five (5) members shall constitute a quorum, and no action shall be taken by less than a majority of the Commission. Special meetings may be called as provided by the rules and regulations of the Commission. Regular meetings shall be held at the established offices of the Department, but, whenever the convenience of the public or of the parties may be promoted, or delay or expense may be prevented, the Commission may hold meetings, hearings, or proceedings at any other place designated by it. The Department shall report in writing to the Governor on or about January 31 of each year. The report shall contain a summary of the proceedings of the Department during the preceding fiscal year, a detailed and itemized statement of all revenue and of all

expenditures made by or on behalf of the Department, such other information as it may deem necessary or useful, and any additional information which may be requested by the Governor.

D. Suitable office space shall be provided by the Office of Management and Enterprise Services for the Department in the City of Oklahoma City, and the Department may incur the necessary ~~expense~~ expenses for office rent, furniture, stationery, printing, incidental expenses, and other necessary expenses needed for the administration of Section 81 et seq. of this title.

SECTION 2. AMENDATORY 74 O.S. 2021, Section 5202, is amended to read as follows:

Section 5202. As used in ~~this act~~ the Oklahoma Space Industry Development Act:

1. "Authority" means the Oklahoma Space Industry Development Authority as authorized to be created by ~~this act~~ the Oklahoma Space Industry Development Act;

2. "Board" or "Board of Directors" means the governing body of the Authority as authorized to be created in Section 7 5207 of this ~~act~~ title;

3. "Bonds" means revenue bonds or other obligations issued by the Authority for the purpose of financing its projects;

4. "Commission" means the Oklahoma Aerospace and Aeronautics Commission;

5. "Complementary activity" means any space business incubator, space tourism activity, or space-related research and development;

~~5.~~ 6. "Cost" means all costs, fees, charges, expenses, and amounts associated with the development of projects under the Oklahoma Space Industry Development Act by the Authority;

7. "Department" means the Oklahoma Department of Aerospace and Aeronautics;

~~6.~~ 8. "Federal aid" means any funding or other financial assistance provided by the federal government to the Authority for its projects;

~~7.~~ 9. "Financing agreement" means a lease, lease-purchase agreement, lease with option to purchase, sale or installment sale agreement, whether title passes in whole or in part at any time prior to, at, or after completion of the project, loan agreement, or other agreement forming the basis for the financing under ~~this act~~ the Oklahoma Space Industry Development Act, including any agreements, guarantees, or security instruments forming part of or related to providing assurance of payment of the obligations under such financing agreement;

~~8.~~ 10. "Landing area" means the geographical area designated by the Authority within or outside any spaceport territory for or intended for the landing and surface maneuvering of any launch or other space vehicles;

~~9.~~ 11. "Launch pad" means the launch pad or pads or spacecraft launch structure used by the spaceport or spaceport user for launching of space vehicles;

~~10.~~ 12. "Payload" means all property and cargo to be transported aboard any vehicle launched or flown, by or from any spaceport;

~~11.~~ 13. "Person" means individuals, children, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, nations, federal, state, or local governments, government or other agencies, subdivisions of the state, municipalities, counties, business entities, and all other groups or combinations;

~~12.~~ 14. "Project" means any development, improvement, property, launch, utility, facility, system, works, road, sidewalk, enterprise, service, or convenience sponsored or promoted by the Authority and conducted or performed from any spaceport territory;

~~13.~~ 15. "Range" means the geographical area designated by the Authority or other appropriate body as the area for the launching of space vehicles, rockets, missiles, launch vehicles, shuttles,

satellites, and other vehicles designed to reach high altitudes, suborbital and orbital, or possessing space flight capacity;

~~14.~~ 16. "Recovery" means the recovery of space vehicles and payload or payloads which have been launched from or by any spaceport;

~~15.~~ 17. "Spaceport" means any area of land or water, or any man-made object or facility located therein, developed by the Authority under ~~this act~~ the Oklahoma Space Industry Development Act and located within spaceport territory, which area is intended for public use, or for the launching, takeoff and landing of spacecraft and aircraft; such areas may include appurtenant areas which are used or intended for public use, for spaceport buildings or other spaceport facilities or for rights-of-way, or any space facility, space propulsion system, or station of any kind possessing space flight capacity;

~~16.~~ 18. "Spaceport system" means the organizations and infrastructure developed by the Authority for the development of spaceports and the commercialization of the space industry;

~~17.~~ 19. "Spaceport territory" means the site of any launch pad and the geographic area contiguous thereto as determined by the Authority to be necessary to protect the area from health and safety hazards from the operation of the spaceport, but not to exceed the geographic areas designated in Section ~~13~~ 5213 of this ~~act~~ title and as amended or changed in accordance with Section ~~20~~ 5220 of this ~~act~~ title; and

~~18.~~ 20. "Spaceport user" means any person that uses the facilities or services of any spaceport. For the purposes of any exemptions or rights granted hereafter, the spaceport user shall be deemed a spaceport user only during the time period in which the person actually uses any spaceport, and such rights and exemptions shall be granted with respect to transactions relating to spaceport projects only.

SECTION 3. AMENDATORY 74 O.S. 2021, Section 5204, is amended to read as follows:

Section 5204. Subject to the requirements of Section 5206 of this title, the Oklahoma Space Industry Development Authority is hereby granted, has, and may exercise all powers necessary to carry out and effectuate ~~its purpose~~ the purposes of the Oklahoma Space Industry Development Act, including, but not limited to, the following:

1. Sue and be sued by its name in any court of competent jurisdiction;

2. Adopt and use an official seal and alter the same at pleasure;

3. Make and execute any and all contracts and other instruments necessary or convenient to the exercise of its powers;

4. Issue revenue bonds or other obligations as authorized by the provisions of ~~this act~~ the Oklahoma Space Industry Development Act or any other law, or any combination of the foregoing, to pay all or part of the cost of the acquisition, construction, reconstruction, extension, repair, improvement, maintenance or operation of any project or combination of projects, to provide for any facility, service or other activity of the Authority and to provide for the retirement or refunding of any bonds or obligations of the Authority, or for any combination of the foregoing purposes;

5. Acquire property, real, personal, intangible, tangible, or mixed, in fee simple or any lesser interest or estate, by purchase, gift, devise, or lease, on such terms and conditions as the Authority may deem necessary or desirable, and sell or otherwise dispose of the same and of any of the assets and properties of the Authority;

6. Lease as lessor or lessee to or from any person, public or private, any facilities or property of any nature for the use of the Authority and to carry out any of the purposes of the Authority;

7. Subject to the limitations prescribed by Section 5210 of this title, acquire by condemnation land and such interest therein as may be necessary in its determination for the purpose of establishing, constructing, maintaining, or operating a spaceport;



8. Own, acquire, construct, develop, create, reconstruct, equip, operate, maintain, extend, and improve launch pads, landing areas, ranges, payload assembly buildings, payload processing facilities, laboratories, space business incubators, launch vehicles, payloads, space flight hardware, facilities and equipment for the construction of payloads, space flight hardware, rockets, and other launch vehicles, and spaceport facilities and systems, including educational, recreational, cultural, and other space-related initiatives;

9. Undertake a program of advertising to the public and promoting the businesses, facilities, and attractions within any spaceport territory or at any spaceport and the projects of the Authority, and expend monies and undertake such activities to carry out such advertising and promotional programs as the Board of Directors from time to time may determine;

10. Own, acquire, construct, reconstruct, equip, operate, maintain, extend, and improve transportation facilities appropriate to meet the transportation requirements of the Authority and activities conducted within a spaceport territory;

11. Own, acquire, construct, reconstruct, equip, operate, maintain, collect fees for services provided, extend, and improve public utilities within a spaceport territory, including the following: electric power plants, transmission lines and related facilities, gas mains and facilities of any nature for the production or distribution of natural gas or hydrogen, telephone lines and related plants and systems, other communication systems of any nature including closed-circuit, cable television and computer systems, transmission lines and related facilities and plants, and facilities for the generation and transmission of power; and purchase electric power, natural gas, and other sources of power for distribution within any spaceport territory;

12. Own, acquire, construct, reconstruct, equip, operate, maintain, collect fees for services provided, extend, and improve within any spaceport territory water systems and sewer systems or combined water and sewer systems; regulate the use of sewers, septic tanks and other sanitary structures and appliances, and the supply of water within any spaceport; and regulate the pretreatment of

waste and sell or otherwise dispose of the effluent, sludge, or other by-products as a result of sewage treatment;

13. Own, acquire, construct, reconstruct, equip, operate, maintain, collect fees for services provided, extend, and improve waste collection, recycling and disposal systems, and to sell, recycle or otherwise dispose of any effluent, residue or other by-products of such systems consistent with the laws of the state;

14. Adopt a plan of reclamation, and own, acquire, construct, reconstruct, equip, operate, maintain, extend, and improve canals, ditches, drains, dikes, levees, pumps, plants and pumping systems, and other works for drainage purposes, and irrigation works, machinery and plants;

15. Own, acquire, construct, reconstruct, equip, operate, maintain, extend, and improve water and flood control facilities and regulate the supply and level of water within any spaceport territory which may include diverting waters from one area or body of water to another, regulating, controlling or restricting the development and use of natural and artificial streams or bodies of water, lakes or ponds, and taking all measures determined by the Authority to be necessary or desirable to prevent or alleviate land erosion; provided, in exercising any of its powers pertaining to the use, control, or diversion of water, the Authority is subject to all permitting requirements and procedures of the Oklahoma Water Resources Board as set forth by law or by rule of the Board; and

16. Own, acquire, construct, reconstruct, equip, operate, maintain, collect fees for services provided, extend, and improve public safety facilities for any spaceport, including police stations, police vehicles, medical facilities, fire stations, water mains and plugs, fire trucks, and other vehicles and equipment; hire employees, police officers, and fire fighters; and undertake such works and construct such facilities determined by the Board to be necessary or desirable to promote and ensure public safety within any spaceport territory.

SECTION 4. AMENDATORY 74 O.S. 2021, Section 5205, is amended to read as follows:

Section 5205. A. The Oklahoma Space Industry Development Authority, in effectuating the purposes of the Oklahoma Space Industry Development Act, shall be subject to the Administrative Procedures Act, the Oklahoma Open Meeting Act, and the Oklahoma Open Records Act, except as provided in subsection B of this section.

B. Any information held by the Authority which is a trade secret, as defined in the Uniform Trade Secrets Act, including trade secrets of the Authority, any spaceport user, or the space industry, is confidential and may not be disclosed. If the Authority determines that any information requested by the public will reveal a trade secret, it shall, in writing, inform the person making the request of that determination. The Authority may hold executive sessions, as authorized by the Oklahoma Open Meeting Act, when trade secrets are discussed, and any minutes, recordings, or notes from such sessions are deemed confidential.

C. The Authority shall be granted sovereign immunity in the same manner as this state, and the liability of the Authority and its members, officers, and employees shall be governed by the provisions of ~~the~~ The Governmental Tort Claims Act. Provided, however, the Authority is authorized to carry liability insurance to the extent authorized by the Authority.

D. The Authority, in executing the purposes of the Oklahoma Space Industry Development Act, shall be exempt from the provisions of the Public Competitive Bidding Act of 1974 and the competitive bidding provisions set forth in Section 85.7 of ~~Title 74 of the Oklahoma Statutes~~ this title.

SECTION 5. AMENDATORY 74 O.S. 2021, Section 5207, as amended by Section 1, Chapter 222, O.S.L. 2023 (74 O.S. Supp. 2024, Section 5207), is amended to read as follows:

~~Section 5207. A. Subject to the provisions of Section 5206 of this title, there is created within the Oklahoma Space Industry Development Authority, the Board of Directors consisting of seven (7) members who shall be appointed by the Governor with advice and consent of the Senate. All but one Board member shall be a resident of this state. Each member appointed to serve on the Board shall have experience in the aerospace or commercial space industry or finance, or have other significant relevant experience.~~

~~B. 1. Initially, the Governor shall appoint four members for terms of three (3) years and three members for terms of four (4) years. Thereafter, each member shall serve a term of four (4) years or until a successor is appointed and qualified. Initial appointments shall be made no later than sixty (60) days after the motion to activate the Authority is memorialized pursuant to Section 5206 of this title. The term of the members shall commence on the date of appointment and terminate on June 30 of the year of the end of the term. No member shall serve on the Board for more than three full four-year terms. Except as prohibited by the Oklahoma Constitution, appointment to the Board shall not preclude any member from holding any other private or public position.~~

~~2. An appointment to fill a vacancy in a member's office shall be made by the Governor for the unexpired portion of the term of the member who vacated that office. An appointment to complete an unexpired term shall not count toward three full four-year terms.~~

~~C. The Governor has the authority to remove from the Board any member in the manner and for cause as defined by the laws of this state and applicable to situations which may arise before the Board. Unless excused by the chair of the Board, a member's absence from two or more consecutive Board meetings creates a vacancy in the office to which the member was appointed.~~

~~D. The Governor shall designate a member to serve as chair of the Board who, if such person remains a member of the Board, shall serve as chair until the expiration of the three-year terms of those members of the Board appointed initially for three-year terms. Each subsequent chair shall be selected by the Board members and shall serve a two-year term.~~

~~E. 1. The Board shall hold its initial meeting no later than twenty (20) days after the members have been appointed. Meetings shall be held quarterly or more frequently at the call of the chair. A majority of the members on the Board shall constitute a quorum, and a majority vote of the members present is necessary for any action taken by the Board.~~

~~2. At its initial meeting, or as soon thereafter as is practicable, the Board shall appoint a chief executive officer who~~

~~shall serve at the pleasure of the Board. A member of the Board may be appointed as chief executive officer; provided, if a member of the Board is so appointed, the member shall resign as a member of the Board and the vacancy shall be filled as provided in paragraph 2 of subsection B of this section. The Board shall determine the annual salary of the chief executive officer.~~ On and after the effective date of this act, the Oklahoma Aerospace and Aeronautics Commission of the Oklahoma Department of Aerospace and Aeronautics shall become the Board of Directors of the Oklahoma Space Industry Development Authority. The qualifications and terms of office of the Board members shall be identical to the qualifications and terms of office of the Commission members. On and after the effective date of this act, persons currently appointed to the Commission shall also become members of the Board. The funds of the Department and the Authority shall not be commingled and shall be separately accounted for, and they shall be considered and treated as separate legal entities.

~~F. B.~~ Each member shall be reimbursed for expenses incurred in the performance of duties on behalf of the Authority as provided for in the State Travel Reimbursement Act.

~~G. C.~~ Before the issuance of any revenue bonds under the provisions of the Oklahoma Space Industry Development Act, each member of the Board shall execute a surety bond in the penal sum of Twenty-five Thousand Dollars (\$25,000.00). Each such surety bond shall be conditioned upon the faithful performance of the duties of the member's office, shall be executed by a surety company authorized to transact business in ~~the State of Oklahoma~~ this state as surety, and shall be filed in the ~~office~~ Office of the Secretary of State.

D. All personnel of the Authority are hereby transferred to the Department and shall become employees of the Department. In order to carry out the mission of the Authority, the Board shall enter into an agreement with the Oklahoma Department of Aerospace and Aeronautics to provide the Authority's administrative and staff services. The Board may elect to replace or merge any existing contract for services that the Authority has with an existing contract that the Oklahoma Department of Aerospace and Aeronautics has to provide administrative efficiency; provided, that such

contract is for the same or similar service and the funds expended by each entity can be accounted for.

E. The Director of the Oklahoma Department of Aerospace and Aeronautics shall serve as the chief executive officer of the Oklahoma Space Industry Development Authority.

SECTION 6. AMENDATORY 74 O.S. 2021, Section 5208.1, is amended to read as follows:

Section 5208.1. There is hereby created in the State Treasury a revolving fund for the Oklahoma Space Industry Development Authority to be designated the "Oklahoma Space Industry Development Authority Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Authority from private and public donations, contributions, gifts, and any monies appropriated or directed by law to be deposited thereto. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Authority for the purpose of ~~creating, operating, staffing and maintaining an Oklahoma Space Industry Development Authority~~ carrying out the provisions of the Oklahoma Space Industry Development Act, and any legitimate expenses of the Authority ~~in the execution of such provisions~~. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 7. AMENDATORY 74 O.S. 2021, Section 5209, is amended to read as follows:

Section 5209. The powers and duties of the Oklahoma Space Industry Development Authority to carry out the provisions of the Oklahoma Space Industry Development Act shall be exercised by and through the Board of Directors. Without limiting the generality of the foregoing, the Board shall have the power and authority to:

1. Adopt, amend, and repeal rules to carry out the purposes of ~~this act~~ the Oklahoma Space Industry Development Act;

2. ~~Maintain an office at such place or places as it may designate;~~

~~3.~~ 3. Execute all contracts and other documents necessary or desirable to carry out the purposes of ~~this act~~ the Oklahoma Space Industry Development Act; provided, the Board may authorize one or more members of the Board to execute contracts and other documents on behalf of the Board or the Authority;

~~4.~~ ~~3.~~ Hire employees, ~~including a person to act as the chief executive officer of the Authority with such duties and power as the Board may prescribe and designate up to five positions as being in the unclassified service;~~

~~5.~~ ~~4.~~ Contract for the services of attorneys, underwriters or other financial professionals for the purpose of issuing and marketing the obligations of the Authority, notwithstanding the provisions of Section 18c of ~~Title 74 of the Oklahoma Statutes~~ this title;

~~6.~~ ~~5.~~ Engage in the planning for spaceports and the spaceport system;

~~7.~~ ~~6.~~ Execute intergovernmental agreements as provided by law;

~~8.~~ ~~7.~~ Establish reserve funds for future Board operations;

~~9.~~ ~~8.~~ Enter into agreements for the joint development of properties necessary or convenient for, the operation of spaceports and the spaceport system; and

~~10.~~ ~~9.~~ Prepare an annual report of operations.

SECTION 8. AMENDATORY 74 O.S. 2021, Section 5219, is amended to read as follows:

Section 5219. A. Except as provided in subsection B of this section, in addition to other powers granted by ~~this act~~ the Oklahoma Space Industry Development Act, for the purposes of operating, maintaining, and providing for the safety of a spaceport the Board of Directors shall have the power within any spaceport territory to:

1. Regulate, restrict and determine the location, height, number of stories, size, cubic contents, area and design, and the erection, construction, reconstruction, alteration and repair of buildings and other structures for space industry development, trade, industry, commerce, residence and other purposes, and the materials used in the construction thereof; the number, location, height, size, appearance and use of billboards and all other advertising signs, banners, handbills and devices; the percentage and portion of lots and land that may be occupied or built on; setback lines; the density of population; the use of buildings, structures, land and water for trade, industries, commerce, and residences and any and all other purposes; the location, size and plan of spaceport facilities, launch pads, ranges, payload assembly and processing facilities, parks and recreational areas, commercial and industrial facilities, public and private utilities, traffic, parking facilities and drainage and water control facilities; and to appoint inspectors;

2. Adopt rules to prohibit or control the pollution of air and water, and to require certain location and placement of electrical power, telephone and other utility lines, cables, pipes, and ducts; and

3. Divide any spaceport territory into zones or districts of such number, shape and area as the Board may deem best suited to carry out the purposes of ~~this act~~ the Oklahoma Space Industry Development Act, and within and for each such district adopt rules and restrictions as provided for in this section.

B. The Authority may not exercise any of its powers as provided for in this section in a manner that prohibits:

1. The agricultural use of land that is located within a spaceport territory and is not acquired by the Authority under the provisions of Section 5210 of this title;

2. Continued access to water for such land for agricultural purposes; and

3. The erection of outbuildings and personal residences on such land, subject to population density restrictions prescribed by the Authority to comply with federal requirements for licensure as a



spaceport; provided, erection of personal residences shall not include subdivision of land for the purpose of constructing and selling houses.

SECTION 9. AMENDATORY 74 O.S. 2021, Section 5220, is amended to read as follows:

Section 5220. A. The Board of Directors may at any time strike out or correct the description of any land within or claimed to be within the boundary lines of any spaceport territory upon the consent and writing of the owners of all the land that would be included or excluded from the boundary lines of any spaceport territory or otherwise affected by the taking of such action, and of the owners of not less than the majority in acreage of all lands within any spaceport territory. The Board may enlarge the geographical limits of any spaceport territory to include lands not then within any spaceport territory as follows:

1. Upon the written consent of the simple majority of owners of all the land to be included in any spaceport territory and of not less than a majority in acreage of all the land then within any spaceport territory; or

2. By resolution of the Board approved at a special election called for such purpose, by vote of a majority of landowners residing within the area to be annexed and a majority of landowners residing within any spaceport territory.

B. The Board may contract the geographical limits of any spaceport territory so as to exclude from any spaceport territory any land then within any spaceport territory as follows:

1. Upon the written consent of the owners of all of the land to be so excluded and of the owners of not less than a majority in acreage of all the land within any spaceport territory;

2. By resolution of the Board approved at a special election called for any purposes, by vote of a majority of landowners residing within the area to be excluded and a majority of the landowners residing within any spaceport territory; or

3. By resolution of the Board approved by the owners of not less than a majority in acreage of the land within the spaceport territory.

~~C. Any owner of land located within the geographic limits of the spaceport territory may within ninety (90) days following the initial meeting of the Board, held pursuant to Section 7 of this act, make written application to the Board to have the land of such owner excluded from the boundaries of the spaceport territory. In the event such written application is made within the ninety-day period, the Board shall exclude the land of such owner from the spaceport territory and revise the boundaries thereof accordingly. No application under this subsection shall be granted if made later than the ninety-day period.~~

~~D.~~ Nothing in this section shall permit the annexation or exclusion of lands contrary to the terms, covenants, or conditions of any of the bonds or obligations of the Oklahoma Space Industry Development Authority, or in any manner that would impair the security of the holders of any bonds or other obligations of the Authority.

~~E.~~ D. No town, city or other municipality having any of the powers of the Authority, or any like powers, shall hereafter be organized or established by any proceedings under the general laws of this state if upon such organization or establishment the territorial limits of such municipality would lie wholly or partly within the geographic boundaries of any spaceport territory, except upon the consent in writing given by the owners of a majority in acreage of the lands within such spaceport territory proposed to be so incorporated within such municipality. No land within the geographic boundaries of any spaceport territory shall be annexed to or incorporated by any proceeding under any general or special law, now or hereafter enacted into any town, city, or other municipality, now existing or hereafter created, except upon the consent in writing given by the owners of a majority in acreage of the lands within such spaceport territory to be so annexed or incorporated.

~~F.~~ E. In the event that the geographic boundaries of the spaceport territory, as set forth in Section ~~13~~ 5213 of this ~~act~~ title, are revised so as to include within the spaceport territory any areas not presently contained within the spaceport territory,

the Authority shall not engage in the business of furnishing telephone service in such annexed area unless the Authority offers to purchase from any telephone company that is at the time engaged in the business of furnishing telephone service within such annexed area such portion of its plant and property suitable and used for such business in connection therewith as lies within the limits of such annexed area.

~~G. F.~~ In the event that the geographic limits of the spaceport territory, as set forth in Section ~~13~~ 5213 of this ~~act~~ title, are revised so as to include within any spaceport territory any areas not presently contained within any spaceport territory, the Authority shall not engage in the business of furnishing electric power for sale in such annexed area, unless the Authority offers to purchase from any person who is at the time engaged in the business of making, generating or distributing electricity for sale within such annexed area, such portion of its electric plant and property suitable and used for business in connection therewith as lies within the limits of such annexed area.

SECTION 10. AMENDATORY 74 O.S. 2021, Section 5225, is amended to read as follows:

Section 5225. All monies received pursuant to the authority of ~~this act~~ the Oklahoma Space Industry Development Act, whether as proceeds from the sale of bonds or as revenues, shall be deemed to be trust funds, to be held and applied solely as provided in ~~this act~~ the Oklahoma Space Industry Development Act. The resolution authorizing the bonds of any issue or the trust agreement securing such bonds shall provide that any officer to whom, or any bank or trust company to which, such money shall be paid shall act as trustee of the monies and shall hold and apply the same for the purposes hereof, subject to such regulations as ~~this act~~ the Oklahoma Space Industry Development Act and such resolution or trust agreement may provide.

SECTION 11. AMENDATORY 74 O.S. 2021, Section 5226, is amended to read as follows:

Section 5226. Any holder of bonds issued under the provisions of ~~this act~~ the Oklahoma Space Industry Development Act or any of the coupons appertaining thereto, and the trustee under the trust

agreement, except to the extent the rights herein given may be restricted by such trust agreement, may, either at law or in equity, by suit, action, mandamus, or other proceeding protect and enforce any and all rights under the laws of this state or granted hereunder or under such trust agreement or the resolution authorizing the issuance of such bonds, and may enforce and compel the performance of all duties required by ~~this act~~ the Oklahoma Space Industry Development Act or by such trust agreement or resolution to be performed by the Oklahoma Space Industry Development Authority or by any officer thereof.

SECTION 12. AMENDATORY 74 O.S. 2021, Section 5227, is amended to read as follows:

Section 5227. Bonds issued under the provisions of ~~this act~~ the Oklahoma Space Industry Development Act are hereby made securities in which all public officers and public bodies, agencies, and instrumentalities of the state and its political subdivisions, all banks, trust companies, trust and loan associations, investment companies, and others carrying on a banking business, and all insurance companies and insurance associations, and others carrying on an insurance business, may legally and properly invest funds including capital in their control or belonging to them.

SECTION 13. AMENDATORY 74 O.S. 2021, Section 5228, is amended to read as follows:

Section 5228. The Oklahoma Space Industry Development Authority is authorized in its discretion to file an application with the Supreme Court ~~of Oklahoma~~ for the approval of any bonds to be issued hereunder, and exclusive original jurisdiction is hereby conferred upon the Supreme Court to hear and determine each such application. It shall be the duty of the Court to give such applications precedence over the other business of the Court and to consider and pass upon the applications and any protests which may be filed thereto as speedily as possible. Notice of the hearing on each application shall be given by a notice published in a newspaper of general circulation in this state that on a day named, the Authority will ask the Court to hear its application and approve the bonds. Such notice shall inform all persons interested that they may file protests against the issuance of the bonds and be present at the hearing and contest the legality thereof. Such notice shall be

published one time not less than ten (10) days prior to the date named for the hearing and the hearing may be adjourned from time to time in the discretion of the Court. If the Court shall be satisfied that the bonds have been properly authorized in accordance with ~~this act~~ the Oklahoma Space Industry Development Act and that when issued, they will constitute valid obligations in accordance with their terms, the Court shall render its written opinion approving the bonds and shall fix the time within which a petition for rehearing may be filed. The decision of the Court shall be a judicial determination of the validity of the bonds, shall be conclusive as to the Authority, its officers and agents, and thereafter the bonds so approved and the revenues pledged to their payment shall be incontestable in any court in this state.

SECTION 14. AMENDATORY 74 O.S. 2021, Section 5229, is amended to read as follows:

Section 5229. A. The Oklahoma Space Industry Development Authority is hereby authorized to provide by resolution for the issuance of revenue refunding bonds of the Authority for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of ~~this act~~ the Oklahoma Space Industry Development Act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if the Authority shall so determine, for the additional purpose of constructing improvements, extensions, or enlargements of the project or projects in connection with which the bonds to be refunded shall have been issued. The Authority is further authorized to provide for the issuance of its revenue bonds for the combined purpose of:

1. Refunding any bonds then outstanding which shall have been issued under the provisions of ~~this act~~ the Oklahoma Space Industry Development Act, including the payment of any redemption premium thereon and any interest accrued, or to accrue to the date of redemption of such bonds; and

2. Paying all or any part of the cost of any additional project or projects as authorized by ~~this act~~ the Oklahoma Space Industry Development Act. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties, and obligations of the Authority in respect of the

same, shall be governed by the provisions of ~~this act~~ the Oklahoma Space Industry Development Act insofar as the same may be applicable.

B. Bonds may be issued by the Authority under the provisions of this section at any time prior to the maturity or maturities or the date selected for the redemption of the bonds being refunded thereby. Pending the application of the proceeds of such refunding bonds, with any other available funds, to the payment of the principal, accrued interest, and any redemption premium of the bonds being refunded, and if so provided or permitted in the resolution authorizing the issuance of such refunding bonds or in the trust agreement securing the same, to the payment of any interest on such refunding bonds, and any expenses in connection with such refunding, such proceeds may be invested in direct obligations of, or obligations the principal of and the interest on which are unconditionally guaranteed by, the United States of America which shall mature or which shall be subject to redemption by the holder thereof at the option of such holder, not later than the respective dates when the proceeds, together with the interest accruing thereon, will be required for the purposes intended. In lieu of such investments, all or any part of such proceeds may be placed in interest bearing time deposits or other similar arrangements may be made with regard thereto which will assure that such proceeds, together with the interest accruing thereon, will be available when required for the purposes intended.

SECTION 15. AMENDATORY 74 O.S. 2021, Section 5231, is amended to read as follows:

Section 5231. The exercise of the powers granted by ~~this act~~ the Oklahoma Space Industry Development Act to the Oklahoma Space Industry Development Authority will be in all respects for the benefit of the people of the state. The operation and maintenance of projects by the Authority will constitute the performance of essential governmental functions, and the Authority shall not be required to pay any taxes or assessments upon any project or any property acquired or used by the Authority under the provisions of ~~this act~~ the Oklahoma Space Industry Development Act or upon the income therefrom, and the bonds issued under the provisions of ~~this act~~ the Oklahoma Space Industry Development Act, their transfer and

the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation within the state.

SECTION 16. AMENDATORY 74 O.S. 2021, Section 5234, is amended to read as follows:

Section 5234. The Board of Directors or any aggrieved person may have recourse to such remedies in law and equity as may be necessary to ensure compliance with the provisions of ~~this act~~ the Oklahoma Space Industry Development Act, including injunctive relief to enjoin or restrain any person from violating the provisions of ~~this act~~ the Oklahoma Space Industry Development Act, and any rules, resolutions, procedures, and orders adopted under ~~this act~~ the Oklahoma Space Industry Development Act. The court shall, upon proof of any such violation, have the duty to issue temporary and permanent injunctions as are necessary to prevent further violation thereof. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure, land or water is used, in violation of ~~this act~~ the Oklahoma Space Industry Development Act, or of any rules, resolutions, procedures, or orders adopted under authority conferred by ~~this act~~ the Oklahoma Space Industry Development Act or under law, the Board may institute any appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or avoid such violations, to prevent the occupancy of such building, structure, land or water, and to prevent any illegal act, conduct, business or use in or about such premises, land or water.

SECTION 17. AMENDATORY 74 O.S. 2021, Section 5235, is amended to read as follows:

Section 5235. It is the intent of the Legislature and the public policy of this state that women, minorities, and socially, physically, and economically disadvantaged business enterprises be encouraged to participate fully in all phases of economic and community development. Accordingly, to achieve such purpose, the Oklahoma Space Industry Development Authority shall, in accordance with applicable state and federal law, involve and utilize women, minorities, and socially, physically, and economically disadvantaged business enterprises in all phases of the design, development,

construction, maintenance, and operation of spaceports developed under ~~this act~~ the Oklahoma Space Industry Development Act.

SECTION 18. RECODIFICATION 74 O.S. 2021, Section 5201, shall be recodified as Section 511 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 19. RECODIFICATION 74 O.S. 2021, Section 5202, as amended by Section 2 of this act, shall be recodified as Section 512 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 20. RECODIFICATION 74 O.S. 2021, Section 5203, shall be recodified as Section 513 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 21. RECODIFICATION 74 O.S. 2021, Section 5204, as amended by Section 3 of this act, shall be recodified as Section 514 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 22. RECODIFICATION 74 O.S. 2021, Section 5205, as amended by Section 4 of this act, shall be recodified as Section 515 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 23. RECODIFICATION 74 O.S. 2021, Section 5207, as amended by Section 1, Chapter 222, O.S.L. 2023 (74 O.S. Supp. 2024, Section 5207), as amended by Section 5 of this act, shall be recodified as Section 516 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 24. RECODIFICATION 74 O.S. 2021, Section 5208, shall be recodified as Section 517 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 25. RECODIFICATION 74 O.S. 2021, Section 5208.1, as amended by Section 6 of this act, shall be recodified as Section 518 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.



SECTION 26. RECODIFICATION 74 O.S. 2021, Section 5208.2, shall be recodified as Section 519 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 27. RECODIFICATION 74 O.S. 2021, Section 5209, as amended by Section 7 of this act, shall be recodified as Section 520 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 28. RECODIFICATION 74 O.S. 2021, Section 5210, shall be recodified as Section 521 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 29. RECODIFICATION 74 O.S. 2021, Section 5211, shall be recodified as Section 522 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 30. RECODIFICATION 74 O.S. 2021, Section 5213, shall be recodified as Section 523 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 31. RECODIFICATION 74 O.S. 2021, Section 5214, shall be recodified as Section 524 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 32. RECODIFICATION 74 O.S. 2021, Section 5215, shall be recodified as Section 525 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 33. RECODIFICATION 74 O.S. 2021, Section 5216, shall be recodified as Section 526 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 34. RECODIFICATION 74 O.S. 2021, Section 5217, shall be recodified as Section 527 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 35. RECODIFICATION 74 O.S. 2021, Section 5218, shall be recodified as Section 528 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 36. RECODIFICATION 74 O.S. 2021, Section 5219, as amended by Section 8 of this act, shall be recodified as Section 529 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 37. RECODIFICATION 74 O.S. 2021, Section 5220, as amended by Section 9 of this act, shall be recodified as Section 530 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 38. RECODIFICATION 74 O.S. 2021, Section 5221, shall be recodified as Section 531 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 39. RECODIFICATION 74 O.S. 2021, Section 5222, shall be recodified as Section 532 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 40. RECODIFICATION 74 O.S. 2021, Section 5223, shall be recodified as Section 533 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 41. RECODIFICATION 74 O.S. 2021, Section 5224, shall be recodified as Section 534 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 42. RECODIFICATION 74 O.S. 2021, Section 5225, as amended by Section 10 of this act, shall be recodified as Section 535 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 43. RECODIFICATION 74 O.S. 2021, Section 5226, as amended by Section 11 of this act, shall be recodified as Section 536 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 44. RECODIFICATION 74 O.S. 2021, Section 5227, as amended by Section 12 of this act, shall be recodified as Section 537 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 45. RECODIFICATION 74 O.S. 2021, Section 5228, as amended by Section 13 of this act, shall be recodified as Section 538 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 46. RECODIFICATION 74 O.S. 2021, Section 5229, as amended by Section 14 of this act, shall be recodified as Section 539 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 47. RECODIFICATION 74 O.S. 2021, Section 5230, shall be recodified as Section 540 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 48. RECODIFICATION 74 O.S. 2021, Section 5231, as amended by Section 15 of this act, shall be recodified as Section 541 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 49. RECODIFICATION 74 O.S. 2021, Section 5232, shall be recodified as Section 542 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 50. RECODIFICATION 74 O.S. 2021, Section 5233, shall be recodified as Section 543 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 51. RECODIFICATION 74 O.S. 2021, Section 5234, as amended by Section 16 of this act, shall be recodified as Section 544 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 52. RECODIFICATION 74 O.S. 2021, Section 5235, as amended by Section 17 of this act, shall be recodified as Section 545 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 53. RECODIFICATION 74 O.S. 2021, Section 5236, shall be recodified as Section 546 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 54. RECODIFICATION 74 O.S. 2021, Section 5237, shall be recodified as Section 547 of Title 3 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 55. REPEALER 74 O.S. 2021, Section 5206, is hereby repealed.

SECTION 56. This act shall become effective July 1, 2025.

SECTION 57. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 13th day of May, 2025.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 29th day of April, 2025.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_