(g) The league may not sponsor or organize or attempt to sponsor or organize any association of sports officials in which the majority of the membership is composed of sports officials who officiate team sports.

(h) The league may set rates or fee schedules payable by a school district or open-enrollment charter school to a sports official.

(i) Before the league may take any action that amends rules related to the activities of sports officials, other than an action against an individual sports official under Subsection (f), the league must submit the proposed action for public review and comment, including:

(1) notifying registered sports officials of the proposed action by e-mail not later than the 30th day before the date set for action on the proposal; and

(2) posting the proposal on the league’s Internet website for at least 30 consecutive days before the date set for action on the proposal.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed by the House on May 8, 2013: Yeas 147, Nays 0; passed by the Senate on May 21, 2013: Yeas 30, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 953

H.B. No. 1791

AN ACT
relating to the facilitation and operation of space flight activities in this state.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 100A.001, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 100A.001. DEFINITIONS. In this chapter:

(1) “Launch” means a placement or attempted placement of a launch vehicle [or--rocket] and spacecraft, if any, [payload, crew, or space flight participant] in a suborbital trajectory, earth orbit, or outer space, including activities involved in the preparation of a launch vehicle or spacecraft [payload] for launch.

(1-a) “Launch vehicle” means any vehicle and its stages or components designed to operate in or place spacecraft, if any, in a suborbital trajectory, in earth orbit, or in outer space.

(2) “Reentry” means a [purposeful] return or attempt to return of a launch vehicle, reentry vehicle, or spacecraft [and the payload, the crew, or a space flight participant] from a suborbital trajectory, from earth orbit, or from outer space to earth, including activities involved in the recovery of a launch vehicle, reentry vehicle, or spacecraft.

(2-a) “Reentry vehicle” means any vehicle, including its stages or components, or spacecraft designed to return from earth orbit or outer space to earth, or a reusable launch vehicle designed to return from earth orbit or outer space to earth, substantially intact.

(2-b) “Spacecraft” has the meaning assigned by Section 507.001, Local Government Code.

(3) “Space flight activities” means activities and training in any phase [all-phases] of preparing for and undertaking space flight, including:

(A) the research, development, testing, or manufacture of a launch vehicle, reentry vehicle, or spacecraft;
(B) the preparation of a launch vehicle, reentry vehicle, payload, spacecraft, crew, or space flight participant for launch, space flight, and reentry;

(C) the conduct of the launch;

(D) conduct occurring between the launch and reentry;

(E) the preparation of a launch vehicle, reentry vehicle, payload, spacecraft, crew, or space flight participant for reentry;

(F) the conduct of reentry and descent;

(G) the conduct of the landing; and

(H) the conduct of postlanding recovery of a launch vehicle, reentry vehicle, payload, spacecraft, crew, or space flight participant.

(4) “Space flight entity” means a person who conducts space flight activities and who, to the extent required by federal law, has obtained the appropriate Federal Aviation Administration license or other authorization, including safety approval and a payload determination. The term includes:

(A) a manufacturer or supplier of components, services, spacecraft, launch vehicles, or reentry vehicles used by the entity and reviewed by the Federal Aviation Administration as part of issuing the license or other authorization;

(B) an employee, officer, director, owner, stockholder, member, manager, advisor, or partner of the entity, manufacturer, or supplier;

(C) an owner or lessor of real property on which space flight activities are conducted including a municipality, county, political subdivision, or spaceport development corporation under Section 507.001, Local Government Code, in this state with a contractual relationship with a space flight entity; and

(D) a municipality, county, economic development organization, or other political subdivision in the territory or extraterritorial jurisdiction of which space flight activities are conducted.

(5) “Space flight participant” means an individual, who is not crew, carried aboard a spacecraft, launch vehicle, or reentry vehicle.

(6) “Space flight participant injury” means an injury sustained by a space flight participant, including bodily injury, emotional distress, death, disability, property damage, or any other loss arising from the individual's participation in space flight activities.

(7) “Crew” means a human being who performs activities relating to the launch, reentry, or other operation of or in a spacecraft, launch vehicle, or reentry vehicle.

SECTION 2. Section 100A.002, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 100A.002. LIMITED LIABILITY. (a) Except as provided by this section, a space flight entity is not liable to any person for damages resulting from nuisance arising from testing, launching, reentering, or landing or subject to any claim for nuisance arising from testing, launching, reentering, or landing.

(b) Except as provided by this section, a space flight entity is not liable to any person for a space flight participant injury or damages arising out of the space flight activities if the space flight participant has signed the agreement required by Section 100A.003 and given written consent as required by 51 U.S.C. Section 50905.

(c) This subsection does not limit liability for a space flight participant injury:

(1) proximately caused by the space flight entity's gross negligence evidencing willful or wanton disregard for the safety of the space flight participant; or

(2) intentionally caused by the space flight entity.

(c) This section precludes injunctive relief with respect to space flight activities.

(d) This section does not:

(1) limit liability for breach of a contract for use of real property by a space flight entity; or
(2) preclude an action by a federal or state governmental entity to enforce a valid statute or regulation.

SECTION 3. Section 100A.003(b), Civil Practice and Remedies Code, is amended to read as follows:
(b) An agreement under Subsection (a) is considered effective and enforceable if it is:
(1) in writing;
(2) in a document separate from any other agreement between the space flight participant and the space flight entity other than a different warning, consent, or assumption of risk statement;
(3) printed in not less than 10-point bold type; and
(4) signed by the space flight participant on behalf of the space flight participant and any heirs, executors, administrators, representatives, attorneys, successors, and assignees of the space flight participant; and
(5) signed by a competent witness.

SECTION 4. Sections 507.001(2) and (3), Local Government Code, are amended to read as follows:
(2) “Spacecraft” means any object and its components designed to be launched for operations in a suborbital trajectory, in earth orbit, or in outer space. The term includes a satellite, a payload, an object carrying crew or a space flight participant, and any subcomponents of the launch vehicle or reentry vehicle specifically designed or adapted for that object.
(3) “Spaceport” includes:
(A) an area intended to be used for space flight activities, as defined by Section 100A.001, Civil Practice and Remedies Code;
(B) a spaceport building or facility located in an area reasonably proximate to a launch vehicle, reentry vehicle, or spacecraft launching or landing area;
(C) an area reasonably proximate to a launch vehicle, reentry vehicle, or spacecraft launching or landing area that is intended for use for a spaceport building or facility; and
(D) a right-of-way related to a launch vehicle, reentry vehicle, or spacecraft launching or landing area, building, facility, or other area that is reasonably proximate to a launching or landing area.

SECTION 5. Section 481.0069(d), Government Code, is amended to read as follows:
(d) Money in the spaceport trust fund may not be spent unless the office certifies to the comptroller that:
(1) a viable business entity has been established that:
(A) has a business plan that demonstrates that the entity has available the financial, managerial, and technical expertise and capability necessary to launch and land a reusable launch vehicle or spacecraft; and
(B) has committed to locating its facilities at a spaceport in this state;
(2) a development corporation for spaceport facilities created under Chapter 507, Local Government Code, has established a development plan for the spaceport project and has demonstrated the financial ability to fund at least 75 percent of the funding required for the project; and
(3) the spaceport or launch operator, if required by federal law, has obtained or applied for the appropriate Federal Aviation Administration license or other appropriate authorization.

SECTION 6. Section 42.01, Penal Code, is amended by adding Subsection (g) to read as follows:

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(g) Noise arising from space flight activities, as defined by Section 100.001, Civil Practice and Remedies Code, if lawfully conducted, does not constitute "unreasonable noise" for purposes of this section.

SECTION 7. The changes in law made by this Act apply only to space flight activities that occur on or after the effective date of this Act. Space flight activities that occur before the effective date of this Act are governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 8. This Act takes effect September 1, 2013.

Passed by the House on April 30, 2013: Yeas 142, Nays 0, 1 present, not voting; passed by the Senate on May 20, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 954
H.B. No. 1800
AN ACT
relating to the powers and duties of the Harris County Municipal Utility District No. 422; providing authority to issue bonds; providing authority to impose fees and taxes.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8465 to read as follows:

CHAPTER 8465. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 422

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8465.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 422.

Sec. 8465.002. NATURE AND PURPOSES OF DISTRICT. (a) The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8465.051. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8465.052. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8465.053. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.