

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 91
HOUSE BILL 2423

AN ACT

AMENDING SECTION 12-558, ARIZONA REVISED STATUTES; RELATING TO SPACE
FLIGHT ACTIVITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-558, Arizona Revised Statutes, is amended to
3 read:

4 12-558. Liability release agreement; space flight activities;
5 definitions

6 A. A space flight entity may enter into a liability release
7 agreement with a space flight participant OR CREW to limit the entity's
8 civil liability for a space flight participant's OR CREW'S injury that
9 arises out of space flight activities.

10 B. The liability release agreement is valid and enforceable.

11 C. For the purposes of this section:

12 1. "Crew" means an employee of a space flight entity or a space
13 flight entity contractor, licensee or agent who performs space flight
14 activities.

15 2. "Launch" means a placement or attempted placement of a launch
16 vehicle and any spacecraft, payload, crew or space flight participant in A
17 FLIGHT PATH TARGETED TO EXCEED AN ALTITUDE OF SIXTY THOUSAND FEET, a
18 suborbital trajectory, earth orbit or outer space, including activities
19 involved in the preparation of a launch vehicle or spacecraft for launch.

20 3. "Launch vehicle" means a vehicle and its stages or components
21 that are designed to operate in or place spacecraft, if any, in a
22 suborbital trajectory, earth orbit or outer space.

23 4. "Reentry" means a return or attempted return to earth of a
24 launch vehicle, a reentry vehicle and the spacecraft, payload, crew or
25 space flight participant from a suborbital trajectory, earth orbit or
26 outer space and includes activities involved in the recovery of a launch
27 vehicle, reentry vehicle or spacecraft.

28 5. "Spacecraft" means any object and its components that are
29 designed to be launched for operations in a suborbital trajectory, in
30 earth orbit or in outer space and includes a satellite, a payload, an
31 object carrying crew or a space flight participant and any subcomponents
32 of the launch vehicle or reentry vehicle that are specifically designed or
33 adapted for that object.

34 6. "Space flight activities" means activities and training in any
35 phase of preparing for and undertaking space flight, including:

36 (a) The research, development, testing or manufacturing of a launch
37 vehicle, reentry vehicle or spacecraft.

38 (b) The preparation of a launch vehicle, reentry vehicle, payload,
39 spacecraft, crew or space flight participant for launch, space flight and
40 reentry.

41 (c) The conduct of the launch.

42 (d) Conduct occurring between the launch and reentry.

43 (e) The preparation of a launch vehicle, reentry vehicle, payload,
44 spacecraft, crew or space flight participant for reentry.

1 (f) The conduct of reentry and descent.

2 (g) The conduct of the landing.

3 (h) The conduct of postlanding recovery of a launch vehicle,
4 reentry vehicle, payload, spacecraft, crew or space flight participant.

5 7. "Space flight entity" means a person that conducts space flight
6 activities and that has obtained the appropriate federal aviation
7 administration license or other authorization, including safety approval
8 and a payload determination, and includes any of the following:

9 (a) A manufacturer or supplier of components, services,
10 spacecrafts, launch vehicles or reentry vehicles used by the entity and
11 reviewed by the federal aviation administration as part of issuing the
12 license or other authorization.

13 (b) An employee, officer, director, owner, stockholder, member,
14 manager, advisor or partner of the entity, manufacturer or supplier.

15 (c) An owner or lessor of real property where space flight
16 activities are conducted, including a municipality, county or political
17 subdivision of this state with a contractual relationship with a space
18 flight entity.

19 (d) A municipality, county, economic development organization or
20 other political subdivision in the territory or extraterritorial
21 jurisdiction in which space flight activities are conducted.

22 8. "Space flight participant" means an individual who is not crew
23 and who participates in space flight activities.

24 9. "Space flight participant's injury" means an injury sustained by
25 a space flight participant and includes bodily injury, emotional distress,
26 death, disability, property damage or any other loss arising from the
27 individual's participation in space flight activities.

28 Sec. 2. Intent

29 The legislature intends to promote commercial space flight
30 activities in Arizona through the launch of stratospheric, suborbital and
31 orbital missions and to promote the creation of space infrastructure in
32 Arizona to increase economic development.

APPROVED BY THE GOVERNOR APRIL 16, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 16, 2019.