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CS/CS/HB 221

2021 Legislature

1  
 2 An act relating to recovery of spaceflight assets;  
 3 creating s. 331.502, F.S.; providing definitions;  
 4 providing a spaceflight entity retains ownership of a  
 5 spaceflight asset after launch or upon reentry;  
 6 requiring a person who finds an item reasonably  
 7 identifiable as a spaceflight asset to report the  
 8 description and location to law enforcement; requiring  
 9 law enforcement to notify the owner of a spaceflight  
 10 asset; authorizing the owner of a spaceflight asset to  
 11 enter private property under specified circumstances;  
 12 prohibiting a person from appropriating a spaceflight  
 13 asset to his or her own use or refusing to surrender a  
 14 spaceflight asset to law enforcement or the owner;  
 15 providing criminal penalties; providing construction;  
 16 amending s. 331.501, F.S.; updating references to  
 17 federal provisions; providing an effective date.

18  
 19 Be It Enacted by the Legislature of the State of Florida:

20  
 21 Section 1. Section 331.502, Florida Statutes, is created  
 22 to read:

23 331.502 Recovery of spaceflight assets.-

24 (1) As used in this section, the term:

25 (a) "Launch" has the same meaning as provided in 51 U.S.C.

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26 50902.

27 (b) "Law enforcement agency" has the same meaning as  
 28 provided in s. 908.102.

29 (c) "Law enforcement officer" has the same meaning as  
 30 provided in s. 943.10.

31 (d) "Reentry" has the same meaning as provided in 51  
 32 U.S.C. 50902.

33 (e) "Spaceflight activities" and "spaceflight entity" have  
 34 the same meanings as provided in s. 331.501(1).

35 (f) "Spaceflight asset" means any item, or any part of an  
 36 item, owned by a spaceflight entity which is used in spaceflight  
 37 activities, including crewed and uncrewed capsules, launch  
 38 vehicles, parachutes and other landing aids, and any ancillary  
 39 equipment that was attached to the launch vehicle during launch,  
 40 orbit, or reentry.

41 (2) A spaceflight entity retains ownership over a  
 42 spaceflight asset following a launch or reentry, regardless of  
 43 the physical condition or location of a spaceflight asset,  
 44 unless or until such time the spaceflight entity expressly  
 45 indicates its intent to abandon the asset.

46 (3) (a) A person who locates any item reasonably  
 47 identifiable as a spaceflight asset must report the description  
 48 and location of the spaceflight asset to a law enforcement  
 49 agency having jurisdiction over the location.

50 (b) A law enforcement agency that receives a report under

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51 this subsection must make a reasonable effort to identify the  
52 owner of the spaceflight asset and promptly notify the owner of  
53 any information relevant to the recovery of the spaceflight  
54 asset.

55 (4) The owner of a spaceflight asset may enter private  
56 property to recover a spaceflight asset if a law enforcement  
57 officer authorizes such entry after determining that exigent  
58 circumstances exist. Exigent circumstances may include, but are  
59 not limited to, a determination that a failure to timely recover  
60 the spaceflight asset may result in an immediate danger to  
61 public safety or damage to, or destruction of, the spaceflight  
62 asset.

63 (5) A person may not knowingly appropriate an item  
64 reasonably identifiable as a spaceflight asset to his or her own  
65 use, or to the use of any other person not entitled to the  
66 spaceflight asset, or refuse to surrender a spaceflight asset to  
67 a law enforcement officer or the owner upon demand. A person who  
68 violates this subsection commits misappropriation of a  
69 spaceflight asset, a misdemeanor of the first degree, punishable  
70 as provided in s. 775.082 or s. 775.083. A court shall order any  
71 person convicted of violating this subsection to pay restitution  
72 to the owner of the spaceflight asset if, as a result of the  
73 misappropriation of a spaceflight asset, the asset is damaged or  
74 cannot be recovered.

75 (6) This section does not limit liability protection for

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76 | private property under state or federal law.

77 |       Section 2. Paragraphs (a) and (b) of subsection (1) of  
78 | section 331.501, Florida Statutes, are amended to read:

79 |       331.501 Spaceflight; informed consent.—

80 |       (1) For purposes of this section, the term:

81 |       (a) "Participant" means any spaceflight participant as  
82 | that term is defined in 51 U.S.C. s. 50902 ~~49 U.S.C. s. 70102~~.

83 |       (b) "Spaceflight activities" means launch services or  
84 | reentry services as those terms are defined in 51 U.S.C. s.  
85 | 50902 ~~49 U.S.C. s. 70102~~.

86 |       Section 3. This act shall take effect July 1, 2021.