

CHAPTER 2021-197

Committee Substitute for Committee Substitute for House Bill No. 221

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

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

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

331.502 Recovery of spaceflight assets.—

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

(a) “Launch” has the same meaning as provided in 51 U.S.C. 50902.

(b) “Law enforcement agency” has the same meaning as provided in s. 908.102.

(c) “Law enforcement officer” has the same meaning as provided in s. 943.10.

(d) “Reentry” has the same meaning as provided in 51 U.S.C. 50902.

(e) “Spaceflight activities” and “spaceflight entity” have the same meanings as provided in s. 331.501(1).

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

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

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

(b) A law enforcement agency that receives a report under this subsection must make a reasonable effort to identify the owner of the spaceflight asset and promptly notify the owner of any information relevant to the recovery of the spaceflight asset.

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

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

(6) This section does not limit liability protection for private property under state or federal law.

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

331.501 Spaceflight; informed consent.—

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

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

(b) “Spaceflight activities” means launch services or reentry services as those terms are defined in ~~51 U.S.C. s. 50902~~ ~~49 U.S.C. s. 70102~~.

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

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.