

Spaceport Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Jerry W Stevenson
House Sponsor:

LONG TITLE

General Description:

This bill amends provisions related to the Spaceport Exploration Committee.

Highlighted Provisions:

This bill:

- allows the Spaceport Exploration Committee (committee) to have a closed meeting or close a portion of a public meeting to discuss information that may include trade secrets;
- expands the scope of the supported activities that the committee may consider to include reentry operations; and
- extends the date of a required report from the committee.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

52-4-205 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 391

72-10-1301 (Effective 05/06/26) (Repealed 07/01/27), as enacted by Laws of Utah 2025, Chapter 540

72-10-1303 (Effective 05/06/26) (Repealed 07/01/27), as enacted by Laws of Utah 2025, Chapter 540

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **52-4-205** is amended to read:

52-4-205 (Effective 05/06/26). Purposes of closed meetings -- Certain issues prohibited in closed meetings.

(1) A closed meeting described under Section 52-4-204 may only be held for:

- (a) except as provided in Subsection (3), discussion of the character, professional

- 31 competence, or physical or mental health of an individual;
- 32 (b) strategy sessions to discuss collective bargaining;
- 33 (c) strategy sessions to discuss pending or reasonably imminent litigation;
- 34 (d) strategy sessions to discuss the purchase, exchange, or lease of real property,
- 35 including any form of a water right or water shares, or to discuss a proposed
- 36 development agreement, project proposal, or financing proposal related to the
- 37 development of land owned by the state or a political subdivision, if public
- 38 discussion would:
- 39 (i) disclose the appraisal or estimated value of the property under consideration; or
- 40 (ii) prevent the public body from completing the transaction on the best possible
- 41 terms;
- 42 (e) strategy sessions to discuss the sale of real property, including any form of a water
- 43 right or water shares, if:
- 44 (i) public discussion of the transaction would:
- 45 (A) disclose the appraisal or estimated value of the property under consideration;
- 46 or
- 47 (B) prevent the public body from completing the transaction on the best possible
- 48 terms;
- 49 (ii) the public body previously gave public notice that the property would be offered
- 50 for sale; and
- 51 (iii) the terms of the sale are publicly disclosed before the public body approves the
- 52 sale;
- 53 (f) discussion regarding deployment of security personnel, devices, or systems;
- 54 (g) investigative proceedings regarding allegations of criminal misconduct;
- 55 (h) as relates to the Independent Legislative Ethics Commission, conducting business
- 56 relating to the receipt or review of ethics complaints;
- 57 (i) as relates to an ethics committee of the Legislature, a purpose permitted under
- 58 Section 52-4-204;
- 59 (j) as relates to the Independent Executive Branch Ethics Commission created in Section
- 60 63A-14-202, conducting business relating to an ethics complaint;
- 61 (k) as relates to a county legislative body, discussing commercial information as defined
- 62 in Section 59-1-404;
- 63 (l) as relates to the Utah Higher Education Savings Board of Trustees and its appointed
- 64 board of directors, discussing fiduciary or commercial information;

- (m) deliberations, not including any information gathering activities, of a public body acting in the capacity of:
- (i) an evaluation committee under Title 63G, Chapter 6a, Utah Procurement Code, during the process of evaluating responses to a solicitation, as defined in Section 63G-6a-103;
 - (ii) a protest officer, defined in Section 63G-6a-103, during the process of making a decision on a protest under Title 63G, Chapter 6a, Part 16, Protests; or
 - (iii) a procurement appeals panel under Title 63G, Chapter 6a, Utah Procurement Code, during the process of deciding an appeal under Title 63G, Chapter 6a, Part 17, Procurement Appeals Board;
- (n) the purpose of considering information that is designated as a trade secret, as defined in Section 13-24-2, if the public body's consideration of the information is necessary to properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement Code;
- (o) the purpose of discussing information provided to the public body during the procurement process under Title 63G, Chapter 6a, Utah Procurement Code, if, at the time of the meeting:
- (i) the information may not, under Title 63G, Chapter 6a, Utah Procurement Code, be disclosed to a member of the public or to a participant in the procurement process; and
 - (ii) the public body needs to review or discuss the information to properly fulfill its role and responsibilities in the procurement process;
- (p) as relates to the governing board of a governmental nonprofit corporation, as that term is defined in Section 11-13a-102, the purpose of discussing information that is designated as a trade secret, as that term is defined in Section 13-24-2, if:
- (i) public knowledge of the discussion would reasonably be expected to result in injury to the owner of the trade secret; and
 - (ii) discussion of the information is necessary for the governing board to properly discharge the board's duties and conduct the board's business;
- (q) as it relates to the Cannabis Production Establishment Licensing Advisory Board, to review confidential information regarding violations and security requirements in relation to the operation of cannabis production establishments;
- (r) considering a loan application, if public discussion of the loan application would disclose:

- 99 (i) nonpublic personal financial information; or
- 100 (ii) a nonpublic trade secret, as defined in Section 13-24-2, or nonpublic business
- 101 financial information the disclosure of which would reasonably be expected to
- 102 result in unfair competitive injury to the person submitting the information;
- 103 (s) a discussion of the board of the Point of the Mountain State Land Authority, created
- 104 in Section 11-59-201, regarding a potential tenant of point of the mountain state land,
- 105 as defined in Section 11-59-102; [or]
- 106 (t) a purpose for which a meeting is required to be closed under Subsection (2)[-] ; or
- 107 (u) as it relates to the Spaceport Exploration Committee created in Section 72-10-1302,
- 108 discussion of the committee with industry experts for the purpose of considering
- 109 information that is designated as a trade secret, as defined in Section 13-24-2.
- 110 (2) The following meetings shall be closed:
- 111 (a) a meeting of the Health and Human Services Interim Committee to review a report
- 112 described in Subsection 26B-1-506(1)(a), and a response to the report described in
- 113 Subsection 26B-1-506(2);
- 114 (b) a meeting of the Child Welfare Legislative Oversight Panel to:
- 115 (i) review a report described in Subsection 26B-1-506(1)(a), and a response to the
- 116 report described in Subsection 26B-1-506(2); or
- 117 (ii) review and discuss an individual case, as described in Section 36-33-103;
- 118 (c) a meeting of a conservation district as defined in Section 17D-3-102 for the purpose
- 119 of advising the Natural Resource Conservation Service of the United States
- 120 Department of Agriculture on a farm improvement project if the discussed
- 121 information is protected information under federal law;
- 122 (d) a meeting of the Compassionate Use Board established in Section 26B-1-421 for the
- 123 purpose of reviewing petitions for a medical cannabis card in accordance with
- 124 Section 26B-1-421;
- 125 (e) a meeting of the Colorado River Authority of Utah if:
- 126 (i) the purpose of the meeting is to discuss an interstate claim to the use of the water
- 127 in the Colorado River system; and
- 128 (ii) failing to close the meeting would:
- 129 (A) reveal the contents of a record classified as protected under Subsection
- 130 63G-2-305(81);
- 131 (B) reveal a legal strategy relating to the state's claim to the use of the water in the
- 132 Colorado River system;

- 133 (C) harm the ability of the Colorado River Authority of Utah or river
134 commissioner to negotiate the best terms and conditions regarding the use of
135 water in the Colorado River system; or
136 (D) give an advantage to another state or to the federal government in negotiations
137 regarding the use of water in the Colorado River system;
- 138 (f) a meeting of the General Regulatory Sandbox Program Advisory Committee if:
139 (i) the purpose of the meeting is to discuss an application for participation in the
140 regulatory sandbox as defined in Section 63N-16-102; and
141 (ii) failing to close the meeting would reveal the contents of a record classified as
142 protected under Subsection 63G-2-305(82);
- 143 (g) a meeting of a project entity if:
144 (i) the purpose of the meeting is to conduct a strategy session to discuss market
145 conditions relevant to a business decision regarding the value of a project entity
146 asset if the terms of the business decision are publicly disclosed before the
147 decision is finalized and a public discussion would:
148 (A) disclose the appraisal or estimated value of the project entity asset under
149 consideration; or
150 (B) prevent the project entity from completing on the best possible terms a
151 contemplated transaction concerning the project entity asset;
- 152 (ii) the purpose of the meeting is to discuss a record, the disclosure of which could
153 cause commercial injury to, or confer a competitive advantage upon a potential or
154 actual competitor of, the project entity;
- 155 (iii) the purpose of the meeting is to discuss a business decision, the disclosure of
156 which could cause commercial injury to, or confer a competitive advantage upon a
157 potential or actual competitor of, the project entity; or
158 (iv) failing to close the meeting would prevent the project entity from getting the best
159 price on the market; and
- 160 (h) a meeting of the Rules Review and General Oversight Committee to review and
161 discuss:
162 (i) an individual child welfare case as described in Subsection 36-35-102(3)(c); or
163 (ii) information that is subject to a confidentiality agreement as described in
164 Subsection 36-35-102(3)(c).
- 165 (3) In a closed meeting, a public body may not:
166 (a) interview a person applying to fill an elected position;

- (b) discuss filling a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office; or
- (c) discuss the character, professional competence, or physical or mental health of the person whose name was submitted for consideration to fill a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office.

Section 2. Section **72-10-1301** is amended to read:

72-10-1301 (Effective 05/06/26) (Repealed 07/01/27). Definitions.

As used in this part:

- (1) "Committee" means the Spaceport Exploration Committee created in Section 72-10-1302.
- (2) "Spaceport feasibility study" means a study to determine the feasibility of establishing a spaceport and that includes:
- (a) a market analysis that evaluates the demand for space launch services, including potential government, commercial, and international customers and competitors;
 - (b) an economic impact assessment that analyzes the projected economic benefits of developing a spaceport, including job creation, local business growth, revenue generation, and an analysis of projected customers that could use the spaceport;
 - (c) a business case that describes how the spaceport could meet customer needs and attract private financing for the spaceport;
 - (d) detailed cost estimates for construction, operation, and maintenance of a spaceport, including infrastructure, technology, and human resources;
 - (e) consideration of the activities at the spaceport that the committee identifies the spaceport should support; and
 - (f) in consultation with the Utah National Guard and the Utah Test and Training Range, an assessment of opportunities to leverage military airspace and infrastructure and uses the military might have for a spaceport.
- (3) "Spaceport siting assessment" means an assessment that is informed by the results of a spaceport feasibility study to determine potential locations for a spaceport that includes an analysis of:
- (a) the extent to which the site can accomplish the spaceport objectives that the committee identifies;
 - (b) geographic and environmental considerations, including the site's size, location, and

- 201 environmental impact;
- 202 (c) whether the site is remote enough to minimize risk to populated areas and complies
- 203 with environmental regulations;
- 204 (d) infrastructure needs, including existing infrastructure and upgrades needed to support
- 205 spaceport resources including launchpads, control centers, roads, utilities, and
- 206 facilities;
- 207 (e) potential sources of significant infrastructure upgrades;
- 208 (f) accessibility, including consideration for the site's accessibility for transportation and
- 209 logistics;
- 210 (g) connections to major highways, airports, and ports;
- 211 (h) regulatory compliance with applicable federal law, including regulations from the
- 212 Federal Aviation Administration and Environmental Protection Agency;
- 213 (i) resources the state may leverage for a particular site, including tax benefits, land
- 214 ownership, land use authority, and regulatory benefits;
- 215 (j) whether the site preserves the viability of the Utah Test and Training Range and all
- 216 Department of Defense missions in the state;
- 217 (k) the existing uses and needs of Utah airspace, including for an international airport in
- 218 a county of the first class; and
- 219 (l) activities that the committee identifies that the spaceport should support.
- 220 (4) "Supported activities" means the types of activities that could occur at a spaceport
- 221 including:
- 222 (a) satellite launches;
- 223 (b) scientific missions;
- 224 (c) national defense missions;
- 225 (d) commercial space flights;
- 226 (e) space exploration;
- 227 (f) reentry operations;
- 228 [~~f~~] (g) space cargo and resupply missions;
- 229 [~~g~~] (h) space tourism; and
- 230 [~~h~~] (i) space industry research and development.

231 Section 3. Section **72-10-1303** is amended to read:

232 **72-10-1303 (Effective 05/06/26) (Repealed 07/01/27). Spaceport Exploration**

233 **Committee duties.**

- 234 (1) The committee shall:

- (a) establish key objectives that the state should pursue in establishing a spaceport;
- (b) evaluate the supported activities that would be most feasible for a spaceport in the state;
- (c) conduct a spaceport feasibility study;
- (d) conduct a spaceport siting assessment;
- (e) evaluate the advantages and disadvantages the state has in establishing a spaceport; and
- (f) make recommendations to the Legislature regarding whether it is in the state's best interest to establish a spaceport.

(2) The committee may:

- (a) authorize the department to contract with one or more consultants to perform research, analysis, and legal work, or to provide other assistance necessary to accomplish the committee's duties;
- (b) establish any advisory committees or working groups needed to fulfill the committee's responsibilities;
- (c) by majority vote, add up to three non-voting committee members; and
- (d) appoint one or more working groups to advise and assist the committee.

(3) The committee shall:

- (a) create a report that:
 - (i) details the committee's conclusions on the items described in Subsection (1); and
 - (ii) includes recommendations on legislation needed to implement the committee's conclusions; and
- (b) report to the Economic Development and Workforce Services Interim Committee and the Transportation Interim Committee no later than ~~[September]~~ November 30, 2026.

Section 4. Effective Date.

This bill takes effect on May 6, 2026.