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Aviation & Space Alert

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Georgia Space Flight Act Passes House

Some exciting news on Georgia's efforts to become the next commercial space-faring state!



Yesterday, the Georgia House of Representatives passed the Georgia Space Flight Act (HB 1), sponsored by State Representative Jason Spencer (R-Woodbine). The vote was 162-5. The bill now moves to the Senate.

Representative Spencer is hopeful that the Act will lead to good aerospace jobs in Georgia and Camden County (proposed site of a commercial spaceport), while opponents have raised concerns about overflights, the environment and existing small businesses.

Below is a summary of what the Georgia Space Flight Act does and doesn't do, and you can read the full text here: [GSFA Full Text](#) (Disclosure, Jason Kemp and I helped draft the Georgia Space Flight Act and represent Mr. Spencer in the legislative process.)

The Georgia Space Flight Act . . .

DOES: Limit the ability of a person (a "space flight participant") who willingly participates in space flight activities, to sue for damages inherently related to those activities, if that person has given informed, written consent.

DOES: Provide the form of the written consent and waiver, which also requires the signature of a competent witness, and a 24-hour consideration period. (Lines 113-36; Lines 145-47)

DOES: Provide liability protection to the following ("space flight entities") (Lines 59-72):

- Persons or entities that conduct space flight activities;
- manufacturers and suppliers;
- their respective employees, officers, owners, etc.;
- owners and lessors of property on which space flight activities are conducted; and
- state agencies or local governmental units that contract with the space flight entities, or have jurisdiction in the location of the space flight activities.

DOES: Require that a space flight entity seeking protection under the Act has obtained all applicable FAA licensing, safety approvals and other required authorizations. (Lines 60-63)

DOES: Cover "space flight activities", which include all activities--before, during, and after--related to a spacecraft flight, with a detailed illustrative list in Lines 47-58 of the bill.

DOES: Include a choice-of-law provision for the application of Georgia law to govern suits involving space flight activities.

DOES NOT: Limit a space flight participant's ability to sue for gross negligence, even with a signed informed consent waiver. (Lines 95-98)

DOES NOT: Limit the ability of the "uninvolved public" (which includes any non-consenting third party) to sue for anything: personal injury, property damage, economic injury, nuisance, condemnation, environmental hazard, etc. (Lines 99-101)

DOES NOT: Establish a spaceport, authorize any space flight activities, or obligate the State or anyone else to commit any funds or otherwise establish or promote a spaceport anywhere in Georgia.

DOES NOT: Limit a spacecraft crewmember's ability to sue for anything. (Line 74)

DOES NOT: Preclude any governmental agency from enforcing any laws or regulations. (Lines 104-05)

Stay tuned for more updates as the Georgia Space Flight Act makes its way toward the Governor's desk



About Hardy Law

We believe in an aviation & space industry with everyone working together for safety, innovation, utility, economic security and fun. We combine our industry and legal experiences to help people avoid making really big mistakes with their aircraft and spacecraft.

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