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SENATE BILL 98

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

William F. Burt and Mary Kay Papen and Rebecca Dow

AN ACT

RELATING TO PUBLIC RECORDS; ENACTING THE COMMERCIAL AEROSPACE PROTECTION ACT; PROVIDING FOR THE PROTECTION OF CERTAIN INFORMATION RELATED TO THE COMMERCIAL AEROSPACE INDUSTRY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be cited as the "Commercial Aerospace Protection Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Commercial Aerospace Protection Act:

A. "authority" means the spaceport authority created pursuant to the Spaceport Development Act;

B. "customer" means a person pursuant to Subsection E of Section 12-2A-3 NMSA 1978;

C. "customer information" means all records relating to a customer, the disclosure of which would reveal

underscoring material = new
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1 trade secrets or adversely affect proprietary interests of the
2 authority or a customer;

3 D. "cyberinfrastructure information" means all
4 records relating to the authority's computing systems, data
5 storage systems, advanced instruments, data repositories and
6 visualization environments, including the authority's network
7 diagrams, cyber-vulnerability assessments and spaceport
8 facility technology;

9 E. "record" means all documents, papers, letters,
10 books, maps, tapes, photographs, recordings and other
11 materials, regardless of physical form or characteristics, that
12 are used, created, received, maintained or held by or on behalf
13 of the authority;

14 F. "security information" means all records
15 relating to the physical security of the authority or a
16 spaceport, including security logs, visitor logs, security
17 manuals, security reports, security personnel data, security
18 video footage and diagrams of security systems; and

19 G. "spaceport" means a facility in New Mexico,
20 under the direction of the authority, at which space vehicles
21 may be launched or landed, including all facilities and support
22 infrastructure related to launch, landing or payload
23 processing.

24 SECTION 3. [NEW MATERIAL] COMMERCIAL CUSTOMER AND OTHER
25 DOCUMENTS EXEMPT FROM INSPECTION.--

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A. Cyberinfrastructure information and security information shall be maintained as confidential and are exempt from inspection pursuant to the provisions of the Inspection of Public Records Act.

B. Customer information shall be maintained as confidential and is exempt from inspection pursuant to the provisions of the Inspection of Public Records Act unless the customer informs the authority that all or part of the records relating to the customer are not considered by the customer to contain sensitive, proprietary or confidential information.