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HOUSE BILL 838

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Jose A. Campos

AN ACT

RELATING TO TAXATION; PROVIDING A GROSS RECEIPTS TAX DEDUCTION FOR RECEIPTS FROM SERVICES PROVIDED FOR THE OPERATIONALLY RESPONSIVE SPACE PROGRAM.

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

Section 1. Section 7-9-54.2 NMSA 1978 (being Laws 1995, Chapter 183, Section 2, as amended) is amended to read:

"7-9-54.2. GROSS RECEIPTS--DEDUCTION--SPACEPORT OPERATION--SPACE OPERATIONS--LAUNCHING, OPERATING AND RECOVERING SPACE VEHICLES OR PAYLOADS--PAYLOAD SERVICES--OPERATIONALLY RESPONSIVE SPACE PROGRAM SERVICES.--

A. Receipts from launching, operating or recovering space vehicles or payloads in New Mexico may be deducted from gross receipts.

B. Receipts from preparing a payload in New Mexico

underscored material = new
[bracketed material] = delete

underscoring material = new
[bracketed material] = delete

1 are deductible from gross receipts.

2 C. Receipts from operating a spaceport in
3 New Mexico are deductible from gross receipts.

4 D. Receipts from the provision of research,
5 development, testing and evaluation services for the United
6 States air force operationally responsive space program may be
7 deducted from gross receipts.

8 [~~D.~~] E. As used in this section:

9 (1) "operationally responsive space program"
10 means a program authorized pursuant to 10 U.S.C. 2273a;

11 [~~(1)~~] (2) "payload" means a system, subsystem
12 or other mechanical structure or material to be conveyed into
13 space that is designed, constructed or intended to perform a
14 function in space;

15 [~~(2)~~] (3) "space" means any location beyond
16 altitudes of sixty thousand feet above the earth's mean sea
17 level;

18 [~~(3)~~] (4) "space operations" means the process
19 of commanding and controlling payloads in space; and

20 [~~(4)~~] (5) "spaceport" means an installation
21 and related facilities used for the launching, landing,
22 operating, recovering, servicing and monitoring of vehicles
23 capable of entering or returning from space.

24 [~~E.~~] F. Receipts from the sale of tangible personal
25 property that will become an ingredient or component part of a

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underscored material = new
[bracketed material] = delete

1 construction project or from performing construction services
2 may not be deducted under this section."

3 Section 2. EFFECTIVE DATE.--The effective date of the
4 provisions of this act is July 1, 2007.

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