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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2614 Session of  
2022

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INTRODUCED BY DOWLING, BROOKS, SCHLOSSBERG, BERNSTINE, SANCHEZ,  
SHUSTERMAN, STEPHENS, INNAMORATO, HELM, LEWIS DELROSSO,  
HOWARD, BRIGGS, McNEILL, HOHENSTEIN, MUSTELLO, M. MACKENZIE,  
THOMAS AND NEILSON, MAY 24, 2022

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
MAY 24, 2022

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AN ACT

1 Amending Title 27 (Environmental Resources) of the Pennsylvania  
2 Consolidated Statutes, providing for the prohibition of  
3 balloon releases; imposing duties on the Department of  
4 Environmental Protection; and imposing penalties.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Title 27 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a chapter to read:

9 CHAPTER 33

10 BALLOON RELEASES PROHIBITED

11 Sec.

12 3301. Scope of chapter.

13 3302. Definitions.

14 3303. Balloon releases prohibited.

15 3304. Exceptions.

16 3305. Penalties.

17 3306. Departmental duties.

1 § 3301. Scope of chapter.

2 This chapter prohibits the intentional release of one or more  
3 balloons in this Commonwealth.

4 § 3302. Definitions.

5 The following words and phrases when used in this chapter  
6 shall have the meanings given to them in this section unless the  
7 context clearly indicates otherwise:

8 "Authorized authority." An enforcement unit, officer or  
9 official of a county, municipality or other political  
10 subdivision that has been granted the authority to enforce the  
11 provisions of this chapter by the department.

12 "Balloon." A nonporous bag of tough and light material,  
13 including latex or Mylar, which is filled or unfilled.

14 "Department." The Department of Environmental Protection of  
15 the Commonwealth.

16 "Mass balloon release." An event during which a person  
17 intentionally releases or causes to be released 10 or more  
18 balloons into the atmosphere.

19 "Person." The term includes:

20 (1) An individual who is over 13 years of age.

21 (2) A corporation, partnership, association, nonprofit  
22 entity and the Commonwealth or a political subdivision of the  
23 Commonwealth.

24 "Radio tracking device." An instrument that emits a signal  
25 that allows the operator to determine the position of a released  
26 balloon.

27 § 3303. Balloon releases prohibited.

28 A person may not do any of the following:

29 (1) Knowingly and intentionally release or cause to be  
30 released a balloon into the atmosphere.

1           (2) Organize or participate in a mass balloon release.

2 § 3304. Exceptions.

3 This chapter does not apply to any of the following:

4           (1) A balloon released for scientific or meteorological  
5 purposes in accordance with the following:

6           (i) Released by or on behalf of the Federal or State  
7 Government.

8           (ii) Released in accordance with a contract with the  
9 Federal or State Government.

10           (iii) Released by an institution of higher education  
11 conducting research.

12           (2) A balloon that meets all of the following criteria:

13           (i) Is attached to a radio tracking device.

14           (ii) Is released by a person who holds an amateur  
15 operator license issued by the Federal Communication  
16 Commission.

17           (3) A hot air balloon that is recovered after launch.

18           (4) The negligent or unintentional release of a balloon.

19 § 3305. Penalties.

20           (a) Violations.--A person who violates the provisions of  
21 this chapter shall:

22           (1) For a violation of section 3303(1) (relating to  
23 balloon releases prohibited), be subject to the following:

24           (i) For an individual, the penalty shall be to  
25 perform six hours of community service, or watch an  
26 educational video on the environmental damage caused by  
27 human pollution, or both.

28           (ii) For an entity, the penalty shall be a civil  
29 penalty of up to \$100.

30           (2) For a violation of section 3303(2), be subject to a

1 civil penalty of up to \$100 for each violation.

2 (b) Number of violations.--Each act of releasing or  
3 organizing the release of a balloon or group of balloons shall  
4 be a separate offense.

5 § 3306. Departmental duties.

6 (a) Enforcement.--The department shall enforce the  
7 provisions of this chapter and may delegate the authority  
8 granted under this chapter to an authorized entity. An  
9 authorized entity shall report each violation to the department.

10 (b) Educational video.--The department shall select, procure  
11 or develop an educational video in accordance with section  
12 3305(a)(1)(i) (relating to penalties). This video may not exceed  
13 one hour in duration.

14 Section 2. This act shall take effect in 60 days.