
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1264 Session of
2024

INTRODUCED BY MASTRIANO AND DUSH, JUNE 20, 2024

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, JUNE 20, 2024

AN ACT

1 Prohibiting solar radiation modification, cloud seeding and
2 polluting atmospheric activity within this Commonwealth;
3 imposing duties on the Pennsylvania State Police and
4 sheriffs; and imposing penalties.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Clean Air
9 Preservation Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Air National Guard." The Pennsylvania Air National Guard, a
15 reserve component of the United States Air Force.

16 "Artificial intelligence." The term refers to systems or
17 machines that mimic human intelligence to perform tasks and can
18 iteratively improve themselves based on the information it
19 collects and can manifest in a number of forms.

1 "Atmospheric activity." Any deliberate polluting activity
2 conducted by any iteration of human, machine learning or
3 artificial intelligence, or any combination thereof, that occurs
4 in the atmosphere and may have harmful consequences upon health,
5 the environment or agriculture.

6 "Cloud seeding." A type of weather modification that
7 attempts to change the amount or type of precipitation by
8 dispersing chemicals such as silver iodide, potassium iodide and
9 dry ice into the air by means of aircraft or ground generators.

10 "Entity." Any of the following:

- 11 (1) Individual.
- 12 (2) Trust.
- 13 (3) Firm.
- 14 (4) Joint stock company.
- 15 (5) Corporation, including a quasi-governmental
16 corporation.
- 17 (6) Nongovernmental organization.
- 18 (7) Partnership.
- 19 (8) Association.
- 20 (9) Syndicate.
- 21 (10) Municipality or municipal agency.
- 22 (11) Program.
- 23 (12) Fire district.
- 24 (13) Club.
- 25 (14) Nonprofit agency.
- 26 (15) Commission.
- 27 (16) University or college located in this Commonwealth.
- 28 (17) Department or agency of this Commonwealth.
- 29 (18) The Federal Government or any interstate or
30 international governance or instrumentality thereof,

1 including foreign, domestic and mercenary armed services or
2 region within the United States.

3 "Geoengineering." The intentional alteration or manipulation
4 of the environment, involving the release of nuclear,
5 biological, chemical, trans-biological, electromagnetic or other
6 physical agents or pollutants that effect changes to Earth's
7 atmosphere or surface and is inclusive of weather modification,
8 aerosol injection into the stratosphere or cloud seeding.

9 "Hazard." A process, substance or physical agent by its
10 nature that is harmful to living organisms generally or to
11 property or another interest of value.

12 "Machine learning." The process in which a machine can learn
13 on its own without being explicitly programmed.

14 "Physical agent." An agent, other than a substance,
15 including, without limitation, RF/MW and other electromagnetic
16 radiation and fields, barometric pressure, temperature, gravity,
17 kinetic weaponry, mechanical vibration and sound.

18 "Pollutant." Any solid, liquid, gaseous or thermal irritant,
19 contaminant or substance, including smoke, vapor, soot, fumes,
20 aerosol plumes, acid, alkalis, chemicals, artificially produced
21 electric fields, magnetic field, electromagnetic field,
22 electromagnetic pulse, sound waves, sound pollution, light
23 pollution, microwaves and all artificially produced ionizing or
24 nonionizing radiation or waste.

25 "Pollution." The discharge, dispersal, deposition, release,
26 seepage, migration or escape of pollutants.

27 "Release." Any activity that results in the issuance of
28 contaminants such as the emitting, transmitting, discharging or
29 injecting of one or more nuclear, biological, trans-biological,
30 chemical or physical agents into the ambient atmosphere, whether

1 once, intermittently or continuously.

2 "Sheriff." A Pennsylvania sheriff, the Constitutional
3 officers responsible for county law enforcement.

4 "Stratosphere." The region of the upper atmosphere extending
5 upward from the edge of the troposphere to about 30 miles above
6 the Earth.

7 "Troposphere." The region of the lowest layer of the
8 atmosphere, six to twelve miles high in altitude, wherein
9 temperature steadily drops with increasing altitude and nearly
10 all cloud formations occur and weather conditions manifest.

11 "Waste." Includes materials to be recycled, reconditioned or
12 reclaimed.

13 "Weather engineering." The deliberate manipulation or
14 alteration of the environment for the purpose of changing the
15 weather or climate by artificial means, typically involving the
16 deliberate release of polluting emissions in the atmosphere via
17 cloud seeding, for small-scale, large-scale and global-scale
18 alteration of the environment.

19 "Weather modification." Changing, controlling or interfering
20 with or attempting to change, control or interfere with the
21 natural development of cloud forms, precipitation, barometric
22 pressure, temperature, conductivity or other electromagnetic or
23 sonic characteristics of the atmosphere.

24 Section 4. Prohibited activity.

25 The Pennsylvania State Police or a sheriff shall immediately
26 issue a cease-and-desist order when unlawful cloud seeding or
27 polluting atmospheric activity is suspected by an entity. The
28 cease-and-desist order under this section shall have the weight
29 of a court order and any violation shall be punished in
30 accordance with section 6.

1 Section 5. Notice to cease Federal or foreign-approved
2 programs.

3 (a) General rule.--Government and armed forces projects must
4 meet all the requirements of this act. If an activity deemed a
5 hazard by this act has been approved, explicitly or implicitly,
6 by the Federal Government, the Pennsylvania State Police or a
7 sheriff shall issue a notice to the appropriate Federal agency
8 that the activity cannot lawfully be carried out within or over
9 this Commonwealth.

10 (b) Implementation.--The Pennsylvania State Police or a
11 sheriff is authorized to and shall implement this act,
12 determining whether violations have occurred and, if deemed
13 necessary, shall refer potentially prohibited activity to the
14 Air National Guard.

15 Section 6. Penalties and enforcement.

16 An entity that engages in an atmospheric activity or uses an
17 unmarked or unidentified aircraft or other vehicle or facility
18 to carry out a weather engineering or other polluting
19 atmospheric activity shall:

20 (1) Have committed a felony and shall pay a fine of not
21 less than \$500,000 or be imprisoned for not less than two
22 years, or both.

23 (2) Be guilty of a separate offense for each day during
24 which activity has been conducted, repeated or continued.

25 (3) Be deemed in violation and subject to any further
26 penalties of the act of January 8, 1960 (1959 P.L.2119,
27 No.787), known as the Air Pollution Control Act.

28 Section 7. Effective date.

29 This act shall take effect immediately.