

SECOND REGULAR SESSION

# HOUSE BILL NO. 2087

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MURRAY.

4412H.01I

JOSEPH ENGLER, Chief Clerk

### AN ACT

To amend chapter 82, RSMo, by adding thereto one new section relating to intentional balloon releases in certain cities, with penalty provisions.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 82, RSMo, is amended by adding thereto one new section, to be known as section 82.921, to read as follows:

**82.921. 1. As used in this section, the following terms mean:**

(1) "Balloon", an inflatable, flexible bag made from latex, rubber, mylar, or other materials, designed to be inflated with air or gas, such as helium;

(2) "City", a city not within a county;

(3) "Intentional release", the act of knowingly and deliberately releasing one or more balloons into the atmosphere, regardless of intent or purpose;

(4) "Person", an individual, business, corporation, nonprofit organization, government entity, group, or combination of such individuals or entities.

2. (1) No person shall intentionally release or cause to be intentionally released any balloon into the atmosphere on private or public property within the boundaries of a city.

(2) No person shall sponsor, organize, or promote an event that includes the intentional release of balloons into the atmosphere on private or public property within the boundaries of a city.

3. This section shall not apply to:

(1) Balloons released indoors, fully contained within a building or structure;

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 17           (2) Scientific or meteorological research projects conducted by government  
18 agencies, universities, or scientific institutions using balloons approved by the United  
19 States Environmental Protection Agency or the Federal Aviation Administration;
- 20           (3) Hot air balloons that are fully recovered after flight; or  
21           (4) Balloons used in military, rescue, or emergency operations.
- 22           4. (1) A person who violates this section shall be subject to a civil fine for each  
23 balloon intentionally released equal to:
- 24           (a) One hundred dollars per balloon for a first offense;  
25           (b) Two hundred fifty dollars per balloon for a second offense; and  
26           (c) Five hundred dollars per balloon for a third or subsequent offense.
- 27           (2) If a person who violates this section is a business or similar entity that  
28 promotes or sponsors balloon release events, such person may be subject to an  
29 additional civil fine of two thousand five hundred dollars per event.
- 30           (3) (a) At the discretion of the court, a person who violates this section may be  
31 required to perform community service in addition to or in lieu of the imposition of a  
32 civil fine.
- 33           (b) Community service performed under this section shall be related to  
34 environmental conservation including, but not limited to, litter cleanup.
- 35           5. (1) A city's environmental services department or a substantially similar  
36 entity may enforce the provisions of this section.
- 37           (2) A city's department of public safety, or a substantially similar entity, and  
38 police department may issue citations for violations of this section.
- 39           (3) A resident of a city may report a violation of this section to:
- 40           (a) Any city department or substantially similar entity established for providing  
41 citizen services; or  
42           (b) Any environmental hotline established by the city or the city's police  
43 department for reporting violations of this section.
- 44           (4) A city may collaborate with environmental organizations and community  
45 groups to assist with monitoring and reporting violations of this section.

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