

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 2656 & 2388
103RD GENERAL ASSEMBLY

6079H.04C

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 640, RSMo, by adding thereto one new section relating to geoengineering and weather modification, with penalty provisions.

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

Section A. Chapter 640, RSMo, is amended by adding thereto one new section, to be known as section 640.870, to read as follows:

640.870. 1. This section shall be known and may be cited as the "Clean Skies Act".

2. As used in this section, the following terms mean:

(1) "Aircraft", any device now known or hereafter invented, used, or designed for navigation of or flight through the air;

(2) "Airport", an area on land or water that is used or intended to be used for the landing and takeoff of aircraft including buildings, equipment, facilities, rights-of-way, property, and appurtenant areas;

(3) "Cloud seeding", a type of weather engineering or experimentation that involves the release of chemicals, chemical compounds, and pollutants into the atmosphere that serve as cloud condensation or ice nuclei, which alter the microphysical process within the cloud to change the amount or type of precipitation;

(4) "Department", the department of natural resources;

(5) "Geoengineering", the large-scale alteration or manipulation of the environment including, but not limited to, the release of the following agents that increase air pollutants which affect changes to the earth's atmosphere or surface:

(a) Aerosols, chemicals, chemical compounds;

(b) Any physical or biological agents;

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.

- 19 (c) Solar radiation modification;
20 (d) Solar radiation reflection methods;
21 (e) Climate intervention; or
22 (f) Stratospheric aerosol injection;
23 (6) "Person", the same meaning as used in section 1.020;
24 (7) "Pollutant", includes, but is not limited to, the following:
25 (a) An aerosol, biologic, trans-biologic, genetically modified agent, chaff, metal,
26 radioactive material, acid, alkali, chemical, chemical compound, contaminant,
27 microelectronic mechanical system, smart dust, smoke, soot, substance, fume, vapor,
28 or air pollutant regulated by this state;
29 (b) A mechanical vibration, physical agent, particulate, or waste, including
30 materials that may be recycled, reconditioned, or reclaimed;
31 (c) A solid, liquid, gaseous, or thermal irritant; and
32 (d) An artificially produced electric field, magnetic field, electromagnetic field,
33 electromagnetic pulse, sound wave, sound pollution, light pollution, microwave, or
34 ionizing or nonionizing radiation;
35 (8) "Release", any activity that results in the issuance of contaminants such as
36 the emitting, transmitting, discharging, or injecting of one or more nuclear, biological,
37 trans-biological, chemical, or physical agents, into the ambient atmosphere, whether
38 once, intermittently, or continuously;
39 (9) "Serious physical injury", a physical injury that creates a substantial risk of
40 death or that causes serious disfigurement or protracted loss or impairment of the
41 function of any part of the body;
42 (10) "Weather modification", changing, controlling, or interfering with or
43 attempting to alter, change, control, or interfere with the natural development of cloud
44 forms, precipitation, barometric pressure, temperature, conductivity, or other
45 electromagnetic or sonic characteristics of the atmosphere.
46 3. Notwithstanding any other provision of law, no person shall engage in any
47 form of geoengineering, weather modification, or cloud seeding in this state.
48 4. (1) The department shall create a publicly accessible online form for
49 reporting suspected violations under this section. The form shall contain a warning that
50 filing a false report with the department constitutes a class B misdemeanor as provided
51 under subdivision (5) of this subsection. The department shall establish procedures to
52 investigate credible reports to determine whether any violation has occurred.
53 (2) For purposes of this subsection, a credible report shall meet the following
54 requirements:
55 (a) a. The report is made by an airport employee or the owner of an aircraft.

56 **b. If the person filing the report is an airport employee, the report shall include**
57 **the airport's three-letter code assigned by the International Air Transport Association,**
58 **and the person filing the report shall certify that the person is an employee of such**
59 **airport.**

60 **c. If the person filing the report is the owner of an aircraft, the report shall**
61 **include the aircraft's registration number assigned by the Federal Aviation**
62 **Administration, and the person filing the report shall certify that the person is the**
63 **owner of such aircraft.**

64 **(b) The report explains the nature of the violation that has occurred and the**
65 **equipment on the aircraft which enabled a violation;**

66 **(c) The report includes the location of the aircraft which allows it to take flight;**
67 **and**

68 **(d) The report does not include images of the aircraft in flight appearing to**
69 **produce contrails.**

70 **(3) If the department determines that a violation of this section has occurred, the**
71 **department shall forward the results of the investigation to the county prosecutor of the**
72 **county in which such violation occurred or the Missouri attorney general's office for**
73 **potential prosecution.**

74 **(4) The department may enlist the assistance of local law enforcement, the**
75 **Missouri state highway patrol, or the Missouri National Guard to investigate and**
76 **enforce the provisions of this section as deemed necessary.**

77 **(5) Any person who makes a false report to the department that a violation of**
78 **this section has occurred shall be guilty of a class B misdemeanor.**

79 **5. (1) Except as provided under subdivision (2) of this subsection, a person who**
80 **violates this section shall be guilty of:**

81 **(a) A class A misdemeanor for the first offense; and**

82 **(b) A class E felony for any second or subsequent offense.**

83 **(2) If serious physical injury or death results from a violation of this section, a**
84 **person shall be guilty of a class C felony.**

85 **6. Any person harmed by a violation of this section may commence a civil action**
86 **in a court of competent jurisdiction. If the court finds that a violation occurred, the**
87 **court may grant damages, including punitive damages, injunctive relief, attorney's fees,**
88 **and any such other relief the court finds appropriate.**

89 **7. The provisions of this section shall not apply to:**

90 **(1) Actions taken for the purposes of farming and ranching operations in this**
91 **state unless such actions constitute cloud seeding; and**

92 **(2) Contrails from an aircraft.**

93 **8. An owner of an aircraft or employee of an airport who is aware of an aircraft**
94 **equipped for cloud seeding, geoengineering, or weather modification and fails to make a**
95 **report to the department shall be guilty of a class B misdemeanor.**

96 **9. The department shall promulgate all necessary rules and regulations for the**
97 **administration of this section including, but not limited to, listing the chemicals that are**
98 **considered to be a violation of this section. Any rule or portion of a rule, as that term is**
99 **defined in section 536.010, that is created under the authority delegated in this section**
100 **shall become effective only if it complies with and is subject to all of the provisions of**
101 **chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
102 **nonseverable and if any of the powers vested with the general assembly pursuant to**
103 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
104 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
105 **proposed or adopted after August 28, 2026, shall be invalid and void.**

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