

2021 -- S 0038 SUBSTITUTE A

LC000423/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO HEALTH AND SAFETY -- BALLOONS

Introduced By: Senators Sosnowski, Ruggerio, McCaffrey, Coyne, and Euer

Date Introduced: January 19, 2021

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 95

4 PROHIBITED RELEASE OF BALLOONS

5 **23-95-1. Legislative findings.**

6 (a) It is hereby found and declared as follows:

7 (1) That the release of balloons inflated with lighter-than-air gases pose a danger and
8 nuisance to the environment, particularly to wildlife and marine animals;

9 (2) That many animals are attracted to the bright colors of balloons and mistake them for
10 food which may cause an animal severe injury or death;

11 (3) That many animals have become entangled in balloon strings and are injured or
12 strangled to death as a result thereof.

13 (b) The general assembly has determined that prohibiting the release of balloons inflated
14 with lighter-than-air gases, statewide, is the most effective means of achieving a significant
15 reduction in balloon debris and the environmental harm this debris causes.

16 **23-95-2. Prohibited practices.**

17 (a) No person or entity shall intentionally release, intentionally organize the release of, or
18 otherwise intentionally cause the simultaneous release of ten (10) or more balloons inflated with a
19 gas that is lighter than air, except for:

1 (1) A balloon released for scientific or meteorological purposes, on behalf of a
2 governmental agency or pursuant to a governmental contract;

3 (2) A hot air balloon that is recovered after launching; or

4 (3) A balloon that is released and remains indoors.

5 **23-95-3. Penalties.**

6 Any person or entity who violates this section shall be subject to a civil penalty of one
7 hundred dollars (\$100) for a first offense and up to two hundred fifty dollars (\$250) for a second
8 or subsequent offense.

9 **23-95-4. Regulations.**

10 The department of environmental management shall promulgate rules and regulations as
11 may be necessary to implement and carry out the provisions of this chapter.

12 SECTION 2. This act shall take effect on November 1, 2021.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- BALLOONS

1 This act would prohibit the intentional simultaneous release of ten (10) or more balloons
2 inflated with lighter-than-air gas. The prohibition would not apply to: a balloon released for
3 scientific or metrological purposes on behalf of a governmental agency or pursuant to a
4 governmental contract; a hot air balloon that is recovered after launching; or a balloon that is
5 released and remains indoors. A person or entity who violates this provision would be subject to a
6 civil penalty of one hundred dollars (\$100) for a first offense and up to two hundred fifty dollars
7 (\$250) for a second or subsequent offense.

8 This act would take effect on November 1, 2021.

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