STATE OF NEW YORK

3706

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibiting the release of balloons

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The environmental conservation law is amended by adding a new section 11-0331 to read as follows:

§ 11-0331. Release of balloons prohibited.

1. No person shall knowingly or intentionally cause any balloon to be released outdoors. For purposes of this section, "balloon" shall refer to a flexible, nonporous bag made of materials such as rubber, latex, polychloroprene or nylon fabric that contains helium, hydrogen, nitrous oxide, oxygen, air or water.

2. This section shall not apply to:

(a) balloons which are used for the purpose of carrying scientific instrumentation during the performance of an experiment or test or by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes; or

(b) manned hot air balloons.

§ 2. Section 71-0923 of the environmental conservation law is amended by adding a new subdivision 13 to read as follows:

13. A violation of section 11-0331 of this chapter is punishable by a fine not to exceed one thousand dollars, or imprisonment for fifteen days, or by both such fine and imprisonment.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD06682-01-1