

# STATE OF NEW YORK

5476--A

2025-2026 Regular Sessions

## IN ASSEMBLY

February 14, 2025

Introduced by M. of A. DiPIETRO -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law and the state finance law, in relation to prohibiting the release of certain chemical compounds into the atmosphere

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

1 Section 1. The environmental conservation law is amended by adding a  
2 new section 19-0330 to read as follows:

3 § 19-0330. Release of certain chemical compounds prohibited.

4 1. The intentional injection, release or dispersion, by any means, of  
5 chemicals, chemical compounds, substances or apparatus within the  
6 borders of this state into the atmosphere with the express purpose of  
7 affecting temperature, weather or the intensity of sunlight is prohibit-  
8 ed.

9 2. Any person who observes a geoengineering or weather modification  
10 activity conducted in violation of this section may report such observed  
11 violation to the department online or by telephone, mail, or e-mail.

12 (a) The department shall establish an e-mail address and an online  
13 form for individuals to report observed violations of this section. The  
14 department shall make the e-mail address and online form publicly acces-  
15 sible on its website.

16 (b) The department shall establish a method for intake and screening  
17 of the reports made pursuant to this section. The department shall  
18 investigate any report that warrants further review to determine whether  
19 a violation of this section occurred.

20 (c) The department may request assistance from the department of  
21 health, the division of homeland security and emergency services, the  
22 department of transportation, or any other appropriate agency.

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

LBD09287-03-5

1 3. All operators of public infrastructure shall report monthly to the  
2 department, using a method determined by the department. Such reports  
3 shall identify any aircraft observed, recorded, or documented that may  
4 be equipped, modified, or configured for geoengineering or weather  
5 modification activities; including the aircraft's registration number,  
6 type, date and time of observation, and the basis for such identifica-  
7 tion.

8 4. The department shall adopt rules and regulations necessary to  
9 implement this section.

10 § 2. The environmental conservation law is amended by adding a new  
11 section 71-2114 to read as follows:

12 § 71-2114. Violations of section 19-0330 of article 19 of this chapter.

13 1. Any person, including any public or private corporation, who  
14 conducts a geoengineering or weather modification activity in violation  
15 of section 19-0330 of this chapter shall be guilty of a class E felony.  
16 Where the violator of such section is a corporation, the officers,  
17 directors, or employees of such corporation shall be guilty of a class E  
18 felony. Each violation shall constitute a separate offense.

19 2. Where the violator of such section is an aircraft operator or  
20 controller, such person shall be guilty of a class E felony, and upon  
21 conviction thereof, shall be punished by a fine not exceeding five thou-  
22 sand dollars and by a term of imprisonment not exceeding five years.  
23 Each violation shall constitute a separate offense.

24 3. Any fines collected for violations of section 19-0330 of this chap-  
25 ter shall be deposited into the air quality improvement fund, in accord-  
26 ance with the provisions of section ninety-nine-rr of the state finance  
27 law.

28 § 3. Subdivision 1 of section 71-2105 of the environmental conserva-  
29 tion law, as amended by chapter 99 of the laws of 2010, is amended to  
30 read as follows:

31 1. Except as provided in section 71-2113 and 71-2114 of this title,  
32 any person who shall wilfully violate any of the provisions of article  
33 19 of this chapter or any code, rule or regulation promulgated pursuant  
34 thereto or any final determination or order of the commissioner made  
35 pursuant to article 19 of this chapter shall be guilty of a misdemeanor,  
36 and, upon conviction thereof, shall be punished by a fine, in the case  
37 of a first conviction, of not less than five hundred dollars nor more  
38 than eighteen thousand dollars or by imprisonment for a term of not more  
39 than one year, or by both such fine and imprisonment, for each separate  
40 violation. If the conviction is for an offense committed after the first  
41 conviction of such person under this subdivision, such person shall be  
42 punished by a fine not to exceed twenty-six thousand dollars, or by  
43 imprisonment, or by both such fine and imprisonment. Each day on which  
44 such violation occurs shall constitute a separate violation.

45 § 4. Subdivision 2 of section 99-rr of the state finance law, as added  
46 by section 7 of part T of chapter 58 of the laws of 2024, is amended to  
47 read as follows:

48 2. Such fund shall consist of revenues received by the state pursuant  
49 to section 19-0328 of the environmental conservation law, fines  
50 collected pursuant to subdivision three of section 71-2114 of the envi-  
51 ronmental conservation law and all other moneys, appropriated, credited,  
52 or transferred thereto from any other fund or source pursuant to law.

53 § 5. This act shall take effect immediately.