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HOUSE BILL NO. 507

Offered January 8, 2020

Prefiled January 4, 2020

A BILL to amend and reenact § 29.1-556.1 of the Code of Virginia, relating to release of balloon; prohibition; civil penalty.

Patrons—Guy and Convirs-Fowler

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-556.1 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-556.1. Release of certain balloons prohibited; penalty.

A. It shall be is unlawful for any person to knowingly release, discard, or cause to be released into the atmosphere within a one-hour period fifty or more balloons which are (i) made of a nonbiodegradable or nonphotodegradable material or any material which requires more than five minutes' contact with air or water to degrade and (ii) inflated with a substance which is lighter than air or discarded outdoors any balloon. Any person who violates convicted of a violation of this section shall be liable for a civil penalty not to exceed five dollars per balloon released above the allowable limit of not less than \$250 or more than \$2,500, which shall be paid into the Lifetime Hunting and Fishing Endowment Litter Control and Recycling Fund established pursuant to § 29.1-101.1 10.1-1422.01. A court may, as an alternative to such civil penalty, and upon motion of the defendant, prescribe the performance of at least 10 hours of community service in litter abatement activities. If the defendant fails or refuses to complete the community service as prescribed, the court may impose the civil penalty.

B. The provisions of this section shall not apply to any (i) balloons balloon released (a) by or on behalf of any agency of the Commonwealth, or the United States or (b) pursuant to a contract with the Commonwealth, the United States, or any other state, territory, or government for scientific or meteorological purposes or (ii) hot air balloons balloon that are is recovered after launch.

INTRODUCED

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