

2021 SPECIAL SESSION I

ENGROSSED

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HOUSE BILL NO. 2159

House Amendments in [] - January 22, 2021

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

Patron Prior to Engrossment—Delegate Guy

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; civil penalty; community service.

A. It shall be unlawful for any individual [43 16] years of age or older or other person to knowingly intentionally release, discard, or cause to be released into the atmosphere within a one-hour period fifty or more balloons which are (i) or discarded outdoors any balloon made of a nonbiodegradable or nonphotodegradable material or any material which that requires more than five minutes' contact with air or water to degrade and (ii) inflated with a substance which is lighter than air. Any person who violates convicted of a violation of this section shall be is liable for a civil penalty not to exceed five dollars of \$25 per balloon released above the allowable limit or discarded, which shall be paid into the Lifetime Hunting and Fishing Endowment Game Protection Fund established pursuant to § 29.1-101.1 29.1-101 [If an individual under the age of 16 releases a balloon by arrangement with or at the instruction of an adult, the adult shall be liable for the civil penalty assessed] .

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.

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