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ENGROSSED HOUSE BILL 1033

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Jacobsen, Appelwick, Dellwo, Roland, Ferguson, Rust and Paris.

Read first time January 16, 1991.                      Referred to Committee on Environmental Affairs.

1            AN ACT Relating to the release of lighter-than-air balloons; adding  
2 new sections to chapter 70.94 RCW; creating a new section; and  
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.**            The legislature finds that the release  
6 into the atmosphere of large numbers of balloons inflated with lighter-  
7 than-air gasses poses a danger and nuisance to the environment,  
8 particularly to wildlife and marine animals.

9            NEW SECTION.    **Sec. 2.**    A new section is added to chapter 70.94 RCW  
10 to read as follows:

11            (1) Except as provided in subsection (2) of this section, it is  
12 unlawful for any person to intentionally release, organize the release,

1 or intentionally cause to be released within a twenty-four hour period  
2 ten or more balloons inflated with a gas that is lighter than air.

3 (2) It is not a violation of this section for a person to release:

4 (a) Balloons on behalf of a government agency or pursuant to a  
5 governmental contract for scientific or meteorological purposes;

6 (b) Hot air balloons that are recovered after launching; or

7 (c) Balloons indoors.

8 (3) A violation of this section is a class 1 civil infraction under  
9 chapter 7.80 RCW.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.94 RCW  
11 to read as follows:

12 Any person may petition a district court to enjoin the release of  
13 ten or more balloons in violation of section 2 of this act.

14 NEW SECTION. **Sec. 4.** If any provision of this act or its  
15 application to any person or circumstance is held invalid, the  
16 remainder of the act or the application of the provision to other  
17 persons or circumstances is not affected.