S-0566.1   _____

SENATE BILL 5453

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State of Washington   **52nd Legislature**   **1991 Regular Session**

By Senators Rinehart, Owen, McCaslin, Skratek and A. Smith.

Read first time January 31, 1991. Referred to Committee on Environment & Natural Resources.

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 into

6 the atmosphere of large numbers of balloons inflated with lighter-than-

7 air gasses poses a danger and nuisance to the environment, particularly

8 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,

13 or intentionally cause to be released within a twenty-four hour period

14 ten or more balloons inflated with a gas that is lighter than air.

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

2   (a) Balloons on behalf of a government agency or pursuant to a

3 governmental contract for scientific or meteorological purposes;

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

5   (c) Balloons indoors.

6   (3) A violation of this section is a class 1 civil infraction under

7 chapter 7.80 RCW.

8   NEW SECTION. **Sec. 3.** A new section is added to chapter 70.94 RCW

9 to read as follows:

10   Any person may petition a district court or the superior court to

11 enjoin the release of ten or more balloons in violation of section 2 of

12 this act.

13   NEW SECTION. **Sec. 4.** If any provision of this act or its

14 application to any person or circumstance is held invalid, the

15 remainder of the act or the application of the provision to other

16 persons or circumstances is not affected.