

By: Representatives Fondren, Kinkade

To: Judiciary A

HOUSE BILL NO. 1045

1 AN ACT TO PROHIBIT A PERSON SIXTEEN YEARS OF AGE OR OLDER
 2 FROM INTENTIONALLY RELEASING OR DISCARDING, OR CAUSING TO BE
 3 RELEASED OR DISCARDED OUTDOORS, ANY BALLOON MADE OF A
 4 NONBIODEGRADABLE OR NONPHOTODEGRADABLE MATERIAL OR ANY MATERIAL
 5 THAT REQUIRES MORE THAN FIVE MINUTES CONTACT WITH AIR OR WATER TO
 6 DEGRADE; TO PROVIDE PENALTIES FOR A VIOLATION OF THIS SECTION; TO
 7 PROVIDE CERTAIN EXCEPTIONS FOR BALLOONS RELEASED FOR SCIENTIFIC OR
 8 METEOROLOGICAL PURPOSES BY ANY STATE OR FEDERAL AGENCY, OR AS PART
 9 OF A CONTRACT WITH THE STATE OF MISSISSIPPI, THE UNITED STATES, OR
 10 ANY OTHER STATE, TERRITORY, OR GOVERNMENT, OR HOT AIR BALLOONS
 11 THAT ARE RECOVERED AFTER LAUNCH; TO DEFINE THE TERM "HOT AIR
 12 BALLOON"; AND FOR RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 **SECTION 1.** (1) It is unlawful for any person sixteen (16)
 15 years of age or older or other person to intentionally release,
 16 discard, or cause to be released or discarded outdoors, any
 17 balloon made of a nonbiodegradable or nonphotodegradable material
 18 or any material that requires more than five (5) minutes contact
 19 with air or water to degrade.

20 (2) Any person convicted of a violation of this section
 21 shall be assessed a fine of Twenty-five Dollars (\$25.00) per
 22 balloon released or discarded, which shall be paid to the
 23 Mississippi Outdoor Stewardship Trust Fund, as provided for in



24 Section 49-39-7. If a person under the age of sixteen (16)
25 releases a balloon by arrangement with, or at the instruction of,
26 a person sixteen (16) years of age or older, such person who is
27 sixteen (16) years of age or older is liable for the fine assessed
28 in this subsection (2).

29 (3) The provisions of this section shall not apply to any
30 balloon released by, or on behalf of, any agency of the State of
31 Mississippi, or the United States, or under a contract with the
32 State of Mississippi, the United States, or any other state,
33 territory, or government for scientific or meteorological
34 purposes, or a hot air balloon that is recovered after launch.

35 (4) For purposes of this section, a "hot air balloon" is an
36 aircraft that floats in the sky, consisting of a large bag or
37 balloon filled with heated air or other gas, with a basket or
38 container hanging under it, or suspended beneath it, which carries
39 passengers and a source of heat.

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2024.

