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H.585

Introduced by Representative Harrison of Chittenden

Referred to Committee on

Date:

Subject: Municipal government; conservation and development; solid waste;  
plastic; balloons

Statement of purpose of bill as introduced: This bill proposes to prohibit the intentional release within a 24-hour period of five or more balloons inflated with gas that is lighter than air.

An act relating to the intentional release of balloons

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 24 V.S.A. § 2202 is added to read:

§ 2202. RELEASE OF BALLOONS; PENALTY

(a) As used in this section, “balloon” means a flexible, nonporous bag made from materials such as rubber, latex, mylar, polychloropene, or nylon fibers that can be inflated with gas and then sealed at the neck.

(b) A person shall not intentionally release, organize the release, or intentionally cause to be released within a 24-hour period five or more balloons inflated with a gas that is lighter than air.

1       (c) A person who violates a provision of this section is subject to a civil  
2       penalty of up to \$250.00. A violation of this section shall be enforceable in the  
3       Judicial Bureau pursuant to the provisions of 4 V.S.A. chapter 29 in an action  
4       that may be brought by a municipal attorney, a solid waste management district  
5       attorney, an environmental enforcement officer employed by the Agency of  
6       Natural Resources, or any duly authorized law enforcement officer.

7       (d) A person authorized to enforce this section may amend or dismiss a  
8       complaint issued by that person by marking the complaint and returning it to  
9       the Judicial Bureau. At the hearing, a person authorized to enforce this section  
10       may amend or dismiss a complaint issued by that person, subject to the  
11       approval of the hearing judge.

12       (e) Enforcement actions taken under this section shall in no way preclude  
13       the Agency of Natural Resources, the Attorney General, or an appropriate State  
14       prosecutor from initiating other or further enforcement actions under the civil,  
15       administrative, or criminal enforcement provisions of 10 V.S.A. chapter 23,  
16       47, 109, 159, 201, or 211. To the extent that enforcement under this section is  
17       by an environmental enforcement officer employed by the Agency of Natural  
18       Resources, enforcement under this section shall preclude other enforcement by  
19       the Agency for the same offense.



1 purposes of municipal violations, the issuing law enforcement officer shall  
2 indicate the appropriate full and waiver penalty on the complaint.

3 Sec. 3. EFFECTIVE DATE

4 This act shall take effect on July 1, 2020.