

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1051 Session of  
2023

INTRODUCED BY MALAGARI, MUSTELLO, HOWARD, MADDEN, SANCHEZ,  
McNEILL, BRENNAN, M. MACKENZIE AND CIRESI, APRIL 28, 2023

REFERRED TO COMMITTEE ON GAME AND FISHERIES, APRIL 28, 2023

AN ACT

1 Amending Title 34 (Game) of the Pennsylvania Consolidated  
2 Statutes, in game or wildlife protection, providing for  
3 unlawful release of certain balloons; and imposing a penalty.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 34 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 2168. Unlawful release of certain balloons.

9 (a) General rule.--It shall be unlawful for any person to  
10 knowingly release or cause any balloon to be released into the  
11 atmosphere which is:

12 (1) Made of a nonbiodegradable or nonphotodegradable  
13 material or any material which requires more than five  
14 minutes' contact with air or water to degrade.

15 (2) Inflated with a substance which is lighter than air.

16 (b) Civil penalty.--Any person who violates this section  
17 shall be liable for a civil penalty not to exceed \$5 per balloon  
18 released above the allowable limit under subsection (a). The

1 civil penalty shall be paid into the Game Fund established under  
2 section 521 (relating to establishment and use of Game Fund).

3 (c) Exceptions.--This section shall not apply to:

4 (1) balloons released by or on behalf of any agency of  
5 the Commonwealth or the United States or under a contract  
6 with the Commonwealth, the United States or any other state,  
7 territory or government for scientific or meteorological  
8 purposes; or

9 (2) hot air balloons that are recovered after launch.

10 Section 2. This act shall take effect in 60 days.