

# SENATE, No. 3177

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MAY 15, 2017

**Sponsored by:**

**Senator COLIN BELL**

**District 2 (Atlantic)**

**Senator JIM WHELAN**

**District 2 (Atlantic)**

**SYNOPSIS**

Prohibits intentional release of balloons inflated with lighter-than-air gases.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/6/2017)**

1 AN ACT concerning the release of certain balloons and  
2 supplementing Title 13 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. The Legislature finds and declares that the release of  
8 balloons inflated with lighter-than-air gases poses a danger and  
9 nuisance to the environment, particularly to wildlife and marine  
10 animals; that many animals are attracted to the bright colors of  
11 balloons and mistake them for food which can cause an animal  
12 severe injury or death; that many more animals become entangled in  
13 balloon strings and are injured or strangled to death as a result; that  
14 several municipalities in the State, including Margate City,  
15 Longport Borough, Ventnor City, and Atlantic City, have prohibited  
16 the release of balloons inflated with lighter-than air gasses; and that  
17 a Statewide approach, however, is the most effective means of  
18 achieving a significant reduction in balloon debris and the  
19 environmental harm this debris causes.

20

21 2. a. No person or entity shall intentionally release,  
22 intentionally organize the release of, or otherwise intentionally  
23 cause the release of a balloon inflated with a gas that is lighter than  
24 air, except for:

25 (1) a balloon released for scientific or meteorological purposes,  
26 on behalf of a governmental agency or pursuant to a governmental  
27 contract;

28 (2) a hot air balloon that is recovered after launching; or

29 (3) a balloon that is released and remains indoors.

30 b. Any person or entity who violates this section shall be  
31 subject to a civil penalty of up to \$500 for each offense, to be  
32 collected in a civil action by a summary proceeding under the  
33 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10  
34 et seq.). The release of multiple balloons at one time shall be  
35 considered a single offense for the purposes of this section. The  
36 Superior Court and the municipal court shall have jurisdiction to  
37 enforce the provisions of the "Penalty Enforcement Law of 1999."

38

39 3. This act shall take effect immediately.

40

41

42

#### STATEMENT

43

44 This bill would prohibit the intentional release of a balloon  
45 inflated with lighter-than-air gas. This prohibition would not apply  
46 to: a balloon released for scientific or meteorological purposes on  
47 behalf of a governmental agency or pursuant to a governmental

1 contract; a hot air balloon that is recovered after launching; or a  
2 balloon that is released and remains indoors.

3 The release of balloons inflated with lighter-than-air gases poses  
4 a danger and nuisance to the environment, particularly to wildlife  
5 and marine animals. Many animals are attracted to the bright colors  
6 of balloons and mistake them for food which can cause severe  
7 injury or death. Many more animals become entangled in balloon  
8 strings and are injured or strangled to death as a result.

9 Recently, several State municipalities, including Margate,  
10 Longport, Ventnor, and Atlantic City, have adopted ordinances  
11 which prohibit the intentional release of balloons inflated with  
12 lighter-than air gasses. However, because released balloons often  
13 travel long distances before landing in oceans and other wildlife  
14 habitats, a Statewide approach is the most effective means of  
15 achieving a significant reduction in balloon debris and the  
16 environmental harm this debris causes.

17 A person or entity that violates the provisions of this bill would  
18 be subject to a civil penalty of up to \$500 for each offense. The  
19 release of multiple balloons at one time would be considered a  
20 single offense.