

SENATE, No. 2468

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED APRIL 12, 2018

Sponsored by:

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Co-Sponsored by:

Senator Brown

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/13/2018)

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:

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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, Egg Harbor Township, and
16 Atlantic City, have prohibited the release of balloons inflated with
17 lighter-than air gasses; and that a Statewide approach, however, is
18 the most effective means of achieving a significant reduction in
19 balloon debris and the 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;

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

30 (4) a minor releasing five or fewer balloons at one time.

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

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40 3. This act shall take effect immediately.

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STATEMENT

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

1 contract; a hot air balloon that is recovered after launching; a
2 balloon that is released and remains indoors; or a minor releasing
3 five or fewer balloons at one time.

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

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

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