

1                                   A bill to be entitled  
 2           An act relating to the release of balloons; amending  
 3           s. 379.233, F.S.; providing that the intentional  
 4           release of certain balloons is littering; revising the  
 5           penalty for such release; amending s. 403.413, F.S.;  
 6           revising definitions; providing an effective date.

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 8   Be It Enacted by the Legislature of the State of Florida:

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 10           Section 1. Subsection (3) of section 379.233, Florida  
 11           Statutes, is amended, and subsection (2) of that section is  
 12           republished, to read:

13           379.233 Release of balloons.—

14           (2) It is unlawful for any person, firm, or corporation to  
 15           intentionally release, organize the release, or intentionally  
 16           cause to be released within a 24-hour period 10 or more balloons  
 17           inflated with a gas that is lighter than air except for:

18           (a) Balloons released by a person on behalf of a  
 19           governmental agency or pursuant to a governmental contract for  
 20           scientific or meteorological purposes;

21           (b) Hot air balloons that are recovered after launching;

22           (c) Balloons released indoors; or

23           (d) Balloons that are either biodegradable or  
 24           photodegradable, as determined by rule of the Fish and Wildlife  
 25           Conservation Commission, and which are closed by a hand-tied

26 | knot in the stem of the balloon without string, ribbon, or other  
 27 | attachments. In the event that any balloons are released  
 28 | pursuant to the exemption established in this paragraph, the  
 29 | party responsible for the release shall make available to any  
 30 | law enforcement officer evidence of the biodegradability or  
 31 | photodegradability of said balloons in the form of a certificate  
 32 | executed by the manufacturer. Failure to provide said evidence  
 33 | shall be prima facie evidence of a violation of this act.

34 | (3) Any person who violates subsection (2) commits  
 35 | littering and is guilty of a noncriminal infraction, punishable  
 36 | as provided in s. 403.413(6)(a) ~~by a fine of \$250.~~

37 | Section 2. Paragraphs (d) and (f) of subsection (2) of  
 38 | section 403.413, Florida Statutes, are amended to read:

39 | 403.413 Florida Litter Law.—

40 | (2) DEFINITIONS.—As used in this section:

41 | (d) "Dump" means to dump, throw, discard, place, deposit,  
 42 | drain, discharge, ~~or~~ dispose of, or intentionally release.

43 | (f) "Litter" means any personal property; garbage;  
 44 | rubbish; trash; refuse; can; bottle; box; container; paper;  
 45 | balloon; tobacco product; pharmaceutical of any kind; tire;  
 46 | household item; shed; appliance; mechanical equipment or part;  
 47 | building or construction material; tool; machinery; wood; motor  
 48 | vehicle or motor vehicle part, including a truck, trailer, or  
 49 | motor home; vessel; aircraft; farm machinery or equipment;  
 50 | sludge from a waste treatment facility, water supply treatment

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51 | plant, or air pollution control facility; or substance in any  
52 | form resulting from domestic, industrial, commercial, mining,  
53 | agricultural, or governmental operations, but excluding  
54 | permitted, regulated, or authorized drainage, pumping, or runoff  
55 | of surface water or stormwater.

56 |       Section 3. This act shall take effect July 1, 2024.