

State Balloon Release Laws

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May 4, 2022 | 2022-R-0041

Issue

Summarize state laws prohibiting or limiting outdoor balloon releases.

Summary

At least the following ten states have laws banning or limiting outdoor releases of lighter-than-air balloons: California, Connecticut, Delaware, Florida, Hawaii, Maine, Maryland, Rhode Island, Tennessee, and Virginia.

Under these laws, some states prohibit and penalize the release of just one balloon, while others have a higher threshold (e.g., 10 in Connecticut, Florida, and Rhode Island; 25 in Tennessee). They generally penalize knowing or intentional releases - excluding ones that occur accidentally or inadvertently. Penalties vary based on things such as the number of balloons released and whether the violation is a first or subsequent offense. A violator may be subject to fines (ranging from \$25 to at least \$2,000), community service (Delaware, Maine, and Maryland), or needing to watch an educational video about environmental damage from pollution (Maryland). Some states exempt from their laws biodegradable balloons, hot air balloons recovered after launch, and balloons released by the government for scientific or meteorological purposes.

Beyond this report's scope, many municipalities have also enacted ordinances to ban or limit balloon releases such as [Louisville, Kentucky](#); [East Hampton, New York](#); [Wrightsville Beach, North Carolina](#); [Galveston, Texas](#); and [Bainbridge Island, Washington](#).

State Balloon Release Laws

Table 1, below, lists the 10 state laws regarding outdoor balloon releases, including the (1) state and citation; (2) scope of the ban or limitation; (3) exemptions, if any; and (4) associated penalties.

Table 1: State Balloon Release Laws

State and Citation	Ban/Restriction	Exemptions	Penalty
California Cal. Penal Code § 653.1	Releasing lighter-than-air balloons made of electrically conductive material as part of a public or civic event, promotional activity, or product advertisement	<ul style="list-style-type: none"> Balloons used in governmental or scientific research projects Manned hot air balloons 	Infraction, punishable by a fine up to \$100; third violation elevates it to a misdemeanor
Connecticut Conn. Gen. Stat. § 26-25c*	Knowingly releasing, organizing the release of, or intentionally causing to be released into the atmosphere 10 or more lighter-than-air balloons within a 24-hour period	None Listed	Infraction , subject to a \$35 fine (combined with other applicable fees, the total penalty is \$75)
Delaware Del. Code Ann. tit. 16, §§ 1603 to 1605	Releasing up to four balloons at one time Intentionally releasing, causing, or permitting the release of five or more balloons on private or public property	<ul style="list-style-type: none"> Balloons released for scientific or meteorological purposes (for a governmental agency or under a governmental contract) Hot air balloons recovered after launch Water balloons recovered after recreation Unintentional or negligent releases 	Up to four balloons: civil penalty of at least \$25 for a first violation, and a civil penalty of at least \$75 and up to eight hours of community service for a subsequent violation within two years of a first one Five or more balloons: civil penalty of at least \$250 and up to eight hours of community service for a first violation, and a civil penalty of at least \$350 and up to 25 hours of community service for a subsequent one

Table 1 (continued)

State and Citation	Ban/Restriction	Exemptions	Penalty
<p>Florida Fla. Stat. § 379.233</p>	<p>Intentionally releasing, organizing the release of, or causing to be released 10 or more lighter-than-air balloons within a 24-hour period</p>	<ul style="list-style-type: none"> • Balloons released for scientific or meteorological purposes (for a governmental agency or as part of a governmental contract) • Balloons that are manufacturer-certified as either biodegradable or photodegradable, and are closed by a hand-tied knot in the balloon's stem, without string, ribbon, or other attachments • Hot air balloons that are recovered after launch 	<p>Noncriminal infraction: \$250 fine</p> <p>Citizens may petition the court to enjoin the release of 10 or more balloons within their county</p>
<p>Hawaii Haw. Rev. Stat. § 339-12 (effective January 1, 2023)</p>	<p>Intentionally releasing, organizing the release of, or otherwise causing the release of a lighter-than-air balloon</p>	<ul style="list-style-type: none"> • Balloons released for scientific or meteorological purposes (for a governmental agency or as part of a governmental contract) • Hot air balloons that are recovered after launch 	<p>Up to \$500 civil fine (releasing multiple balloons at one time is a single offense)</p>
<p>Maine Me. Stat. tit. 17, §§ 2263-A & 2264-A</p>	<p>Intentionally releasing a lighter-than-air balloon</p>	<ul style="list-style-type: none"> • Balloons carrying scientific instrumentation • Balloons for meteorological observation by a government or scientific organization • Hot air balloons recovered after launch 	<p>Traffic infraction</p> <p>Release of 16-24 balloons: \$100 - \$500 fine for a first violation and \$500 - \$1,000 fine for a subsequent offense</p> <p>Release of more than 24 balloons: at least a \$500 fine and at least 100 hours of community service for a first violation, and at least a \$2,000 fine and at least 100 hours of community service for a subsequent offense</p> <p>Possible license, permit, registration, or certification suspension</p>

Table 1 (continued)

State and Citation	Ban/Restriction	Exemptions	Penalty
<p>Maryland Md. Code Ann., Envir. § 9-2301</p>	<p>Knowingly and intentionally releasing or causing to be released a balloon into the atmosphere, or organizing or participating in a mass balloon release (i.e., 10 or more balloons)</p>	<ul style="list-style-type: none"> • Balloons released for scientific or meteorological purposes (by a higher education institution for research or by the state or a federal agency or as part of a contract with the state, United States, or another state, territory, or government) • Balloons attached to a radio tracking device and released by someone with an amateur operator license issued by the Federal Communications Commission • Hot air balloon that is recovered after launch • Minors under 13 years of age 	<p>Six hours of community service or watch an educational video on environmental damage from human pollution, or both</p> <p>For a mass balloon release: up to \$100 fine per violation</p> <p>Each act of releasing, or organizing a release of, a balloon or group of balloons is a separate violation</p>
<p>Rhode Island R.I. Gen. Laws §§ 23-96-1 to -3</p>	<p>Intentionally releasing, organizing the release of, or causing the simultaneous release of 10 or more lighter-than-air balloons</p>	<ul style="list-style-type: none"> • Balloons released for scientific or meteorological purposes (for a governmental agency or as part of a governmental contract) • Hot air balloons that are recovered after launch 	<p>First offense: \$100 fine</p> <p>Second or subsequent offense: up to \$250 fine</p>
<p>Tennessee Tenn. Code Ann. § 68-101-108</p>	<p>Knowingly releasing more than 25 lighter-than-air balloons into the atmosphere</p>	<ul style="list-style-type: none"> • Releases in certain counties, passed on specific population thresholds • Weather balloons that carry scientific instruments to perform an experiment or test • Balloons made of biodegradable material that needs several minutes or less of air or water contact to degrade 	<p>\$250 fine (each balloon in excess of the limit that is released in a day is a separate violation)</p>

Table 1 (continued)

State and Citation	Ban/Restriction	Exemptions	Penalty
<p>Virginia Va. Code Ann. § 29.1-556.1</p>	<p>Intentionally releasing, discarding, or causing to be released or discarded a balloon</p>	<ul style="list-style-type: none"> • Balloons released for scientific or meteorological purposes (by the state or a federal agency or as part of a contract with the state, the United States, or another state, territory, or government) • Hot air balloons that are recovered after launch • Balloons made of a biodegradable or photodegradable material or a material that needs five minutes or less of air or water contact to degrade • Minors under 16 years of age 	<p>\$25 fine per balloon, which goes to the Game Protection Fund</p>

*Information about Connecticut's law, including its legislative history, is available in OLR Report [2016-R-0176](#)

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