

By Senator Pizzo

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1 A bill to be entitled
 2 An act relating to the release of balloons; amending
 3 s. 379.233, F.S.; removing a provision authorizing the
 4 specified release of certain balloons; removing an
 5 exemption from such provision for biodegradable or
 6 photodegradable balloons; conforming a provision to
 7 changes made by the act; providing an effective date.

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

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 11 Section 1. Subsections (2) and (4) of section 379.233,
 12 Florida Statutes, are amended 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; or

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~~

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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 (4) Any person may petition the circuit court to enjoin the
35 release of ~~10 or more~~ balloons if that person is a citizen of
36 the county in which the balloons are to be released.

37 Section 2. This act shall take effect July 1, 2023.