

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Agriculture, Conservation  
 2 & Resiliency Subcommittee  
 3 Representative Chaney offered the following:  
 4

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Subsections (2), (3), and (4) of section  
 8 379.233, Florida Statutes, are amended to read:  
 9 379.233 Release of balloons.—

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

15 (a) Balloons released by a person on behalf of a  
 16 governmental agency or pursuant to a governmental contract for

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17 scientific or meteorological purposes.†

18 (b) Hot air balloons ~~that are~~ recovered after launching.†

19 (c) Balloons released indoors;†~~or~~

20 ~~(d) Balloons that are either biodegradable or~~  
21 ~~photodegradable, as determined by rule of the Fish and Wildlife~~  
22 ~~Conservation Commission, and which are closed by a hand-tied~~  
23 ~~knot in the stem of the balloon without string, ribbon, or other~~  
24 ~~attachments. In the event that any balloons are released~~  
25 ~~pursuant to the exemption established in this paragraph, the~~  
26 ~~party responsible for the release shall make available to any~~  
27 ~~law enforcement officer evidence of the biodegradability or~~  
28 ~~photodegradability of said balloons in the form of a certificate~~  
29 ~~executed by the manufacturer. Failure to provide said evidence~~  
30 ~~shall be prima facie evidence of a violation of this act.~~

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

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

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,

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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  
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. For the purpose of incorporating the amendment  
57 made by this act to section 403.413, Florida Statutes, in a  
58 reference thereto, subsection (1) of section 403.4135, Florida  
59 Statutes, is reenacted to read:

60 403.4135 Litter receptacles.—

61 (1) DEFINITIONS.—As used in this section "litter" and  
62 "vessel" have the same meanings as provided in s. 403.413.

63 Section 4. This act shall take effect July 1, 2024.

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66 **T I T L E A M E N D M E N T**

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67 Remove everything before the enacting clause and insert:  
68 A bill to be entitled  
69 An act relating to the release of balloons; amending  
70 s. 379.233, F.S.; revising a prohibition on the  
71 release of certain balloons to delete a specified  
72 timeframe and number of balloons; deleting an  
73 exemption from such prohibition for certain  
74 biodegradable or photodegradable balloons; providing  
75 that a person who violates the prohibition commits the  
76 noncriminal infraction of littering; revising the  
77 penalty for such violation; deleting a provision  
78 authorizing petitions to enjoin the release of  
79 balloons under certain circumstances; amending s.  
80 403.413, F.S.; revising the definitions of the terms  
81 "dump" and "litter"; reenacting s. 403.4135(1), F.S.,  
82 relating to litter receptacles, to incorporate the  
83 amendment made to s. 403.413, F.S., in a reference  
84 thereto; providing an effective date.