

HB 387 - AS INTRODUCED

2025 SESSION

25-1135

08/05

HOUSE BILL **387**

AN ACT relative to balloons being released into the air.

SPONSORS: Rep. Wall, Straf. 11

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill prohibits the release of lighter-than-air balloons into the air and establishes penalties for violations of this prohibition.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to balloons being released into the air.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Declaration of Intent. Amend RSA 163-B:1 to read as follows:

2 163-B:1 Declaration of Intent.

3 ***I.*** It is the intention of the legislature by this chapter to provide for uniform prohibition
4 throughout the state of any and all littering on public or private property and to curb thereby the
5 desecration of the beauty of the state and harm to the health, welfare and safety of its citizens
6 caused by individuals who litter.

7 ***II. The general court declares that the release into the atmosphere of balloons***
8 ***inflated with lighter-than-air gases constitutes littering, because the balloons eventually***
9 ***return to the earth's surface. Deflated balloons pose a serious threat to the life and well-***
10 ***being of wildlife and marine animals via ingestion or entanglement with attached ribbons.***

11 2 Unlawful Activities; Balloon Release. Amend RSA 163-B:3 to read as follows:

12 163-B:3 Unlawful Activities.

13 ***I.*** It shall be unlawful for any person or persons to dump, deposit, throw or leave, or to cause
14 or permit the dumping, depositing, placing, throwing or leaving of litter on any public or private
15 property in this state, or in or on ice or in any waters in this state, unless:

16 ~~[I.]~~ ***(a)*** Such property is designated by the state or by any of its agencies or political
17 subdivisions for the disposal of such litter, and such person is authorized by the proper public
18 authority to use such property;

19 ~~[II.]~~ ***(b)*** Such litter is placed into a litter receptacle or container installed on such property;

20 ~~[III.]~~ ***(c)*** Such person is the owner or tenant in lawful possession of such property, or has
21 first obtained consent of the owner or tenant in lawful possession, or unless the act is done under the
22 personal direction of said owner or tenant, all in a manner consistent with the public welfare.

23 ***II. It shall be unlawful for any person to intentionally release or intentionally***
24 ***cause to be released into the atmosphere 20 or more balloons inflated with lighter-than-air***
25 ***gases, except for:***

26 ***(a) Balloons released by or on behalf of any agency of the United States, the***
27 ***state of New Hampshire, or any other state, territory, or government for scientific or***
28 ***meteorological purposes; or***

29 ***(b) Hot air balloons recovered after launch.***

1 ***III. Lighter than air balloons shall be sold with a weight and tag that informs the***
2 ***purchaser that the release of 20 or more balloons is harmful to wildlife and that a***
3 ***violation punishable by a \$250 fine for the first offense and \$500 for subsequent offenses.***

4 3 Penalties. Amend RSA 163-B:4 to read as follows:

5 163-B:4 Penalties.

6 I. ***Except as provided in paragraph III***, any person violating the provisions of RSA 163-
7 B:3, shall be guilty of a misdemeanor, or, in lieu thereof, in the sound discretion of any court in
8 which conviction is obtained, any such person may be directed by the judge of such court to pick up
9 and remove from any public street or highway or public or private right-of-way, or public beach or
10 public park, or with prior permission of the legal owner or tenant in lawful possession of such
11 property, any private property upon which it has been established by competent evidence that he has
12 deposited litter, any and all litter deposited thereon by anyone prior to the date of execution of
13 sentence.

14 I-a. Any fines collected under this section for littering in coastal waters or beaches and for
15 abandoning fishing gear shall be credited to the derelict fishing gear and coastal cleanup fund
16 established in RSA 211:77.

17 II. The court is hereby directed to publish the names of persons convicted of violating the
18 provisions of RSA 163-B:3.

19 ***III. Any person who violates the provisions of RSA 163-B:3, II, relative to balloon***
20 ***release, shall be guilty of a violation and fined \$250 for the first offense and \$500 for each***
21 ***subsequent offense.***

22 4 Effective Date. This act shall take effect January 1, 2026.