

House Bill 2592

Sponsored by Representative HUDSON (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act makes it a crime to intentionally release a balloon into the airspace of this state. (Flesch Readability Score: 65.1).

Adds intentionally releasing a balloon into the airspace of this state as conduct punishable as the crime of offensive littering.

Punishes by a maximum of 30 days' imprisonment, a \$1,250 fine, or both.

A BILL FOR AN ACT

1
2 Relating to balloon releases; amending ORS 164.805.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 164.805 is amended to read:

5 164.805. (1) A person commits the crime of offensive littering if the person creates an
6 objectionable stench or degrades the beauty or appearance of property or detracts from the natural
7 cleanliness or safety of property by intentionally:

8 (a) Discarding or depositing any rubbish, trash, garbage, debris or other refuse upon the land
9 of another without permission of the owner, or upon any public way or in or upon any public
10 transportation facility[;].

11 (b) Draining, or causing or permitting to be drained, sewage or the drainage from a cesspool,
12 septic tank, recreational or camping vehicle waste holding tank or other contaminated source, upon
13 the land of another without permission of the owner, or upon any public way[; or].

14 (c) Permitting any rubbish, trash, garbage, debris or other refuse to be thrown from a vehicle
15 that the person is operating. This [subsection] **paragraph** does not apply to a person operating a
16 vehicle transporting passengers for hire subject to regulation by the Department of Transportation
17 or a person operating a school bus described under ORS 801.460.

18 **(d) Releasing a balloon filled with helium, or another substance that allows the balloon
19 to remain airborne, into the airspace of this state, except for:**

20 **(A) Balloons released by a person on behalf of a governmental agency;**

21 **(B) Balloons released pursuant to a governmental contract for scientific or
22 meteorological purposes; or**

23 **(C) Hot air balloons that are recovered after launching.**

24 (2) As used in this section:

25 (a) "Public transportation facility" has the meaning given that term in ORS 164.365.

26 (b) "Public way" includes, but is not limited to, roads, streets, alleys, lanes, trails, beaches, parks
27 and all recreational facilities operated by the state, a county or a local municipality for use by the
28 general public.

29 (3) Offensive littering is a Class C misdemeanor.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

