

# Prohibition on Releasing a Balloon into the Atmosphere

## Purpose

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During the 2021 legislative session, Senate Bill 716/House Bill 391 (2021 Md. Laws Ch. 610) was passed, which created a new law, § 9-2301 of the Environment Article, Annotated Code of Maryland. Under the law, effective October 1, 2021, a person may not knowingly and intentionally release or cause a balloon to be released into the atmosphere, and a person may not organize or participate in a mass balloon release.

## What is a "Mass Balloon Release"?

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The term "mass balloon release" means an event where a person or persons knowingly and intentionally releases or causes 10 or more balloons to be released into the atmosphere.

## Why are Balloon Releases prohibited?

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When balloons cease to float in the atmosphere, they come down on land, creating litter that can be harmful to wildlife through entanglement with the balloon strings. Balloons that land in water can cause serious threats to marine life such as Diamondback Terrapins (Maryland's state reptile) and other sea turtles, who mistake the half-deflated balloons for jellyfish, which are their primary food source. The balloons and strings clog stomachs and intestines, causing starvation and potentially a painful death. Shorebirds can also become entangled in balloon strings, trapping them, and causing starvation or dismemberment. Additionally, the balloons and strings can break down into tiny pieces, contributing to "microplastic" pollution that can end up in fish and other organisms.

Notably, some balloons are labeled "biodegradable," but they still take several months to decay and can be harmful to animals, and the environment.

## Exceptions

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The new state law does not apply to a balloon that is released for meteorological or scientific purposes: (1) on behalf an agency of the State or the United States; (2) in accordance with a contract with the State, the United States, or any other State; or (3) by an institution of higher education conducting research. Also exempt under the law is a balloon that is: (4) attached to a radio tracking device and released by a person who holds an amateur operator license issued by the United States Federal Communications Commission; (5) a hot air balloon that is recovered after launch; or (6) the negligent or unintentional release of a balloon.

## Alternatives

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Alternatives to balloon releases include the release of bubbles, flying kites, or tossing eco-friendly "confetti" like bird seed, flower petals or dried leaves. Other alternatives can be found on [preventballoonlitter.org](http://preventballoonlitter.org) and other related websites.



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## Penalties and Enforcement

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A person who releases a balloon into the atmosphere is in violation of state law and may be required to perform six (6) hours of community service or watch an educational video on environmental damage caused by human pollution, or both. Persons convicted of participating in a mass balloon release can be punished by a fine of up to \$100. Each act of releasing or organizing the release of a balloon or group of balloons constitutes a separate violation. The Maryland Department of the Environment (MDE) is charged with enforcing the statute; however, MDE may delegate its authority to another enforcement unit, officer, or official of a county, a municipality or local government.

Balloon releases prohibited under the law can be reported to MDE by telephone at (410) 537-3315 or by email ([MDE.WEBMASTER@maryland.gov](mailto:MDE.WEBMASTER@maryland.gov)). If possible, the report should include the date, time, location, and identity of the person, whether an individual or group of individuals, or group or organization that released or caused the release of a balloon into the atmosphere, or that organized or participated in a mass balloon release. Additionally, a photograph of the event would be helpful to submit along with the report, if possible.

## Useful Links for more information:

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- The law is available here: [mgaleg.maryland.gov/2021RS/chapters\\_noln/Ch\\_610\\_hb0391E.pdf](http://mgaleg.maryland.gov/2021RS/chapters_noln/Ch_610_hb0391E.pdf).
- U.S. Fish and Wildlife Service blog on balloon release: [fws.gov/news/blog/index.cfm/2015/8/5/balloons-and-wildlife-please-dont-release-your-balloons](https://fws.gov/news/blog/index.cfm/2015/8/5/balloons-and-wildlife-please-dont-release-your-balloons).
- Balloons Blow provides information on the adverse impacts of balloon releases, and suggests eco-friendly alternatives: [balloonsblow.org](http://balloonsblow.org).
  - Public service announcement from Balloons Blow: [youtu.be/DyFqazc30x4](https://youtu.be/DyFqazc30x4).
- Alternatives to balloon releases are available online at [preventballoonlitter.org](http://preventballoonlitter.org).

## Questions

Please direct questions to MDE at (410) 537-3376 or [MDE.WEBMASTER@maryland.gov](mailto:MDE.WEBMASTER@maryland.gov)

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