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## AB-2450 Electrically conductive balloons. (2017-2018)

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### Assembly Bill No. 2450

#### CHAPTER 262

An act to amend Section 653.1 of the Penal Code, and to add Chapter 31 (commencing with Section 22942) to Division 8 of the Business and Professions Code, relating to electrically conductive balloons.

[ Approved by Governor September 05, 2018. Filed with Secretary of State September 05, 2018. ]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2450, Quirk. Electrically conductive balloons.

Existing law prohibits a person from selling or distributing a balloon constructed of electrically conductive material and filled with a gas lighter than air without affixing to the balloon a weighted object, the identity of the manufacturer, and a warning statement, and prohibits the sale or distribution of an electrically conductive balloon filled with a gas lighter than air that is attached to an electrically conductive string, tether, streamer, or another electrically conductive balloon or appurtenance. A violation of those provisions is a misdemeanor.

This bill would instead make those provisions subject to civil action. The bill would also require a person who manufactures a balloon that is constructed of electrically conductive material to permanently mark each balloon with the identity of the manufacturer and a printed statement that warns the consumer about the dangerous risk of fire if the balloon comes in contact with an electrical power line.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

#### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Chapter 31 (commencing with Section 22942) is added to Division 8 of the Business and Professions Code, to read:

#### **CHAPTER 31. Electrically Conductive Balloons**

**22942.** (a) A person who manufactures a balloon in this state that is constructed of electrically conductive material shall comply with both of the following:

- (1) Permanently mark each balloon with a printed statement, written in a legible font size and located in a conspicuous area on the balloon, that warns the consumer about the dangerous risk of fire if the balloon comes in contact with an electrical power line.
- (2) Permanently mark each balloon with the identity of the manufacturer.

(b) A person who sells or distributes a balloon constructed of electrically conductive material that is filled with a gas lighter than air shall comply with both of the following:

(1) The person shall affix an object of sufficient weight to each balloon or its appurtenance to counter the lift capability of the balloon.

(2) The person shall not attach the balloon to an electrically conductive string, tether, or streamer, to a balloon constructed of electrically conductive material, or to any other electrically conductive object.

(c) This section shall not apply to manned hot air balloons or to balloons used in governmental or scientific research projects.

**SEC. 2.** Section 653.1 of the Penal Code is amended to read:

**653.1.** (a) No person or group shall release, outdoors, balloons made of electrically conductive material and filled with a gas lighter than air, as part of a public or civic event, promotional activity, or product advertisement.

(b) Any person who violates this section shall be guilty of an infraction punishable by a fine not exceeding one hundred dollars (\$100). Any person who violates this section who has been previously convicted twice of violating this section shall be guilty of a misdemeanor.

(c) This section shall not apply to manned hot air balloons, or to balloons used in governmental or scientific research projects.