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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 529
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. T. Young

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SUMMARY

- Prohibits any person from engaging in solar radiation modification (SRM) in Ohio, including through the use of an aircraft, balloon, space-based platform, or interoperable ground-based facility.
- Defines SRM as an experiment in the Earth's climatic system involving the release of pollutants that reduces the amount of sunlight reaching the Earth's surface.
- Requires the Director of Environmental Protection to adopt policies and procedures regarding public monitoring and reporting of SRM, to investigate reports of SRM, and to issue cease-and-desist orders to persons determined to be conducting or attempting to conduct SRM.
- Establishes a strict liability offense for engaging in SRM or violating the Director's cease-and-desist order regarding SRM, and imposes a fine of not less than \$500,000, imprisonment of not less than three years, or both, for each violation.
- Titles the bill as "the Atmosphere Protection Act."

DETAILED ANALYSIS

Prohibiting solar radiation modification

The bill prohibits any person from engaging in solar radiation modification (SRM) in Ohio, including through the use of an aircraft, balloon, space-based platform, or interoperable ground-based facility.

"Solar radiation modification" is defined by the bill as an experiment in the Earth's climatic system involving the release of pollutants that reduces the amount of sunlight reaching the Earth's surface. "Pollutant" is defined as any aerosol; biologic, transbiologic, or genetically modified agent; chaff; metal; radioactive material; acid; alkali; chemical; particulate; contaminant; smart dust; smoke; soot; fume; vapor; air pollutant regulated by Ohio;

mechanical vibration or other physical agent; waste, including materials that may be recycled, reconditioned, or reclaimed; solid, liquid, gaseous, or thermal irritant; or artificially produced electric field, magnetic field, electromagnetic field, electromagnetic pulse, sound wave, sound solution, light pollution, microwave, or ionizing or nonionizing radiation.¹

OEPA duties

Under the bill, The Director of Environmental Protection is required to do all of the following regarding SRM:

- Adopt policies encouraging the public to monitor, measure, document, and report present, potential, and past incidents that may constitute SRM;
- Adopt policies and procedures to aid the public in reporting and presenting evidence of SRM or attempted SRM;
- Investigate any report of SRM or attempted SRM;
- Issue a cease-and-desist order to a person who the Director determines is conducting or attempting to conduct SRM.²

Penalties

A person who violates the prohibition against SRM or fails to comply with the Director's cease-and-desist order regarding SRM is to be fined not less than \$500,000, imprisoned not less than three years, or both, for each violation. Each day of violation constitutes a separate offense. A violation of the bill's prohibition against SRM or failure to comply with a cease-and-desist order is a strict liability offense for which no degree of culpability is required.³

Bill title

The bill is titled "the Atmosphere Protection Act."⁴

HISTORY

Action	Date
Introduced	05-15-24

ANHB0529IN-135/ar

¹ R.C. 3704.21 and 3704.22.

² R.C. 3704.23.

³ R.C. 3704.22, 3704.23(D), and 3704.99(H); R.C. 2901.21, not in the bill.

⁴ Section 3.