

House File 2640 - Introduced

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BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HF 2173)

A BILL FOR

1 An Act relating to the intentional emission of air contaminants
2 into the atmosphere, including prohibitions and reporting
3 requirements, and providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **330.25 Weather engineering devices.**

2 1. For purposes of this section:

3 *a.* "*Aircraft*" means a powered or unpowered machine or device
4 capable of atmospheric transportation, except a parachute or
5 other such device used primarily as safety equipment.

6 *b.* "*Department*" means the department of transportation.

7 2. By the first day of each month beginning October 1, 2026,
8 all airport commissions, local authorities, or any other entity
9 who operates an airport open to public use shall report to the
10 department, using a method determined by the department, all
11 of the following:

12 *a.* The physical presence of any aircraft located on an
13 airport open to public use, equipped with any part, component,
14 device, or the like that may be used to support the intentional
15 emission, injection, release, or dispersion of air contaminants
16 into the atmosphere within the borders of this state when such
17 emission, injection, release, or dispersion occurs for the
18 express purpose of affecting temperature, weather, climate, or
19 the intensity of sunlight.

20 *b.* The landing, takeoff, stopover, or refueling of an
21 aircraft equipped with a part, component, device, or the like
22 described in paragraph "*a*" on the physical location of the
23 airport open to public use.

24 3. Notwithstanding any other provision of law to the
25 contrary, a project or program located on or in support of an
26 airport open to public use that is not in compliance with this
27 section shall be ineligible to receive any state funding until
28 such time as the entity becomes compliant with this section.

29 4. Upon receipt of reports required in subsection 1, the
30 department shall submit aggregated reports to the department
31 of natural resources and the applicable state law enforcement
32 agency in support of the enforcement of section 708C.1.

33 5. The department shall incorporate reporting guidelines
34 in all grant agreements for airports open to public use that
35 receive state funding.

1 of law to the contrary, a project or program located on or
2 in support of an airport open to public use that is not in
3 compliance with the reporting requirements is ineligible to
4 receive state funding until compliance is achieved.

5 The bill requires the department, upon receipt of the
6 required reports, to submit aggregated reports to the
7 department of natural resources and the applicable state law
8 enforcement agencies that support enforcement of weather
9 engineering prohibitions.

10 The bill also requires the department to incorporate
11 the reporting guidelines into grant agreements for airports
12 open to public use that receive state funding and authorizes
13 the department to adopt rules implementing the reporting
14 requirements.

15 The bill provides that the emission, injection, release,
16 or dispersion of a chemical, chemical compound, substance, or
17 apparatus into the atmosphere within the borders of the state
18 for the express purpose of affecting temperature, weather,
19 climate, or the intensity of sunlight, or any other purpose not
20 presently regulated by state or federal law, is prohibited.
21 The bill provides that any person who violates the prohibition
22 is guilty of a class "D" felony and, for a corporation that
23 violates the prohibition, an additional civil penalty up to
24 \$100,000 is imposed on the corporation's officers, directors,
25 or employees. A class "D" felony is punishable by confinement
26 for no more than five years and a fine of at least \$1,025 but
27 not more than \$10,245. Each day a violation occurs constitutes
28 a separate offense.