

House File 2173 - Introduced

HOUSE FILE 2173
BY SHIPLEY

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:

unofficial

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

3 1. For purposes of this section:

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

7 b. "Department" means the department of transportation.

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

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

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

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

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

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

1 state funding.

2 6. The department shall adopt rules as necessary to implement
3 this section.

4 Sec. 2. NEW SECTION. **708C.1 Weather engineering.**

5 1. The emission, injection, release, or dispersion, by any
6 means, of a chemical, a chemical compound, a substance, or an
7 apparatus into the atmosphere within the borders of this state
8 for the express purpose of affecting the temperature, weather,
9 climate, or intensity of sunlight, or any other purpose not
10 presently regulated by state or federal law, is prohibited.

11 2. a. Any person, including any public or private
12 corporation, who violates this section commits a class "D"
13 felony. For a corporation in violation of this section, the
14 officers, directors, or employees of the corporation shall also
15 be subject to a civil penalty not to exceed one hundred thousand
16 dollars.

17 b. Each day a violation of subsection 1 occurs constitutes a
18 separate offense.

19 **EXPLANATION**

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to the intentional emission of air
23 contaminants into the atmosphere, including prohibitions and
24 reporting requirements.

25 The bill requires entities that operate an airport open
26 to public use to submit monthly reports to the department of
27 transportation (department) beginning October 1, 2026. The
28 reports must include information regarding the physical presence
29 of aircraft equipped with components that may be used to
30 intentionally emit, inject, release, or disperse air contaminants
31 into the atmosphere for the express purpose of affecting
32 temperature, weather, climate, or the intensity of sunlight, as
33 well as information regarding the landing, takeoff, stopover, or
34 refueling of such aircraft at the airport.

35 The bill provides that, notwithstanding any other provision

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

10 The bill also requires the department to incorporate the
11 reporting guidelines into grant agreements for airports open
12 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 for
18 the express purpose of affecting temperature, weather, climate,
19 or the intensity of sunlight, or any other purpose not presently
20 regulated by state or federal law, is prohibited. The bill
21 provides that any person who violates the prohibition is guilty
22 of a class "D" felony and, for a corporation that violates
23 the prohibition, an additional civil penalty up to \$100,000 is
24 imposed on the corporation's officers, directors, or employees.
25 A class "D" felony is punishable by confinement for no more than
26 five years and a fine of at least \$1,025 but not more than
27 \$10,245. Each day a violation occurs constitutes a separate
28 offense.