

COMMITTEE ON REGULATORY OVERSIGHT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2056
(Reference to printed bill)

Amendment instruction key:
[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.
~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 45-117, Arizona Revised Statutes, is amended to
3 read:

4 45-117. Water resources fund; purpose; monies held in trust

5 A. The water resources fund is established to be maintained in
6 perpetuity consisting of:

7 1. Except as provided in section 45-113, subsection F, monies
8 received pursuant to sections 45-113, 45-115, 45-116, 45-183, 45-273,
9 45-292, 45-411.01, 45-467, 45-476.01, 45-595, 45-612, 45-703, 45-871.01,
10 45-874.01, 45-1021, 45-1041, ~~AND~~ 45-1205, ~~45-1603 and 45-1605.~~

11 2. Monies appropriated by the legislature to the water resources
12 fund.

13 3. Gifts, grants and donations to the fund from any public or
14 private source.

15 4. Interest and other income received from investing monies in the
16 fund.

17 B. Monies in the fund are subject to legislative appropriation.
18 Monies remaining in the fund at the end of the fiscal year remain in the
19 fund and are exempt from the provisions of section 35-190 relating to
20 lapsing of appropriations.

21 C. Monies in the fund shall be used exclusively by the department
22 ~~of water resources~~ to carry out the purposes of this title and shall not
23 be appropriated for any other purpose.

24 D. The director shall administer the fund. On notice from the
25 director, the state treasurer shall invest and divest the monies in the
26 fund as provided by section 35-313 and monies earned from investment shall
27 be credited to the fund.

1 E. Any fee, assessment or other levy that is authorized by law or
2 administrative rule and that is collected and deposited in the water
3 resources fund shall be held in trust. The monies in the fund may be used
4 only for the purposes prescribed by statute and shall not be appropriated
5 or transferred by the legislature to fund the general operations of this
6 state or to otherwise meet the obligations of the general fund of this
7 state. This subsection does not apply to any taxes or other levies that
8 are imposed pursuant to title 42 or 43.

9 Sec. 2. Repeal

10 Title 45, chapter 9, Arizona Revised Statutes, is repealed.

11 Sec. 3. Title 49, chapter 1, article 1, Arizona Revised Statutes,
12 is amended by adding section 49-119, to read:

13 49-119. ~~Affecting temperature, weather or sunlight;~~
14 ~~prohibition; grants prohibited; action in superior~~
15 ~~court; exception~~

16 A. NOTWITHSTANDING ANY OTHER LAW, ~~[A PERSON MAY NOT ENGAGE IN~~
17 ~~GEOENGINEERING. THE DIRECTOR SHALL INVESTIGATE ANY CREDIBLE REPORTS OF~~
18 ~~GEOENGINEERING IN THIS STATE]~~~~[AND EXCEPT AS PROVIDED IN SUBSECTION E OF~~
19 ~~THIS SECTION, THE INTENTIONAL INJECTION, RELEASE OR DISPERSION BY ANY~~
20 ~~OTHER MEANS OF ANY OF THE FOLLOWING IN THIS STATE WITH THE EXPRESS PURPOSE~~
21 ~~OF AFFECTING TEMPERATURE, WEATHER OR THE INTENSITY OF SUNLIGHT BEYOND THE~~
22 ~~BOUNDS OF A PERSON'S OWN PROPERTY IS PROHIBITED:~~

23 ~~1. CHEMICALS.~~

24 ~~2. CHEMICAL COMPOUNDS.~~

25 ~~3. SUBSTANCES.~~

26 ~~4. APPARATUSES.]~~

27 B. THIS SECTION APPLIES TO EACH PERSON IN THIS STATE, INCLUDING ALL
28 OF THE FOLLOWING:

29 1. A GOVERNMENT AGENCY.

30 2. A RESEARCH PROJECT.

31 3. A UNIVERSITY.

32 4. A PUBLIC OR PRIVATE ORGANIZATION.

33 5. A MILITARY FORCE.

34 ~~[C. THE DIRECTOR SHALL ACTIVELY ENCOURAGE THE PUBLIC TO MONITOR,~~
35 ~~DOCUMENT AND REPORT ANY INSTANCES OF GEOENGINEERING IN THIS STATE. THE~~
36 ~~DIRECTOR MAY POST NOTICE IN ANY NEWSPAPER OF GENERAL CIRCULATION~~
37 ~~ENCOURAGING THE PUBLIC TO COLLECT EVIDENCE OF GEOENGINEERING AND REPORT~~
38 ~~ANY INFORMATION GATHERED TO THE DIRECTOR.~~

39 ~~D. ANY PERSON WHO GATHERS EVIDENCE OF GEOENGINEERING IN THIS STATE~~
40 ~~SHALL SUBMIT THE EVIDENCE, INCLUDING THE LOCATION OF THE EVIDENCE~~
41 ~~GATHERED, BY EMAIL OR IN WRITING TO THE DIRECTOR, ANY PEACE OFFICER OR ANY~~
42 ~~PUBLIC OFFICIAL.~~

43 ~~E. ANY PEACE OFFICER OR PUBLIC OFFICIAL WHO RECEIVES EVIDENCE AS~~
44 ~~PRESCRIBED BY THIS SECTION AND HAS REASONABLE GROUNDS TO SUSPECT A~~
45 ~~VIOLATION OF THIS SECTION SHALL FORWARD THE EVIDENCE WITHIN TWENTY-FOUR~~
46 ~~HOURS AFTER RECEIPT TO THE DIRECTOR.~~

1 ~~F. WITHIN TWO HOURS OF THE DIRECTOR'S RECEIPT OF CREDIBLE REPORTS~~
2 ~~OF GEOENGINEERING, THE DIRECTOR SHALL CONDUCT EMERGENCY MEASURES TO~~
3 ~~DETERMINE WHETHER GEOENGINEERING HAS OCCURRED AT THE LOCATION INDICATED BY~~
4 ~~THE EVIDENCE. IF THE DIRECTOR DETERMINES A PERSON HAS VIOLATED THIS~~
5 ~~SECTION, REGARDLESS OF APPROVAL OF THE FEDERAL GOVERNMENT, THE DIRECTOR~~
6 ~~SHALL IMMEDIATELY ISSUE A FORMAL NOTICE TO THE PERSON STATING THAT~~
7 ~~GEOENGINEERING IS PROHIBITED IN THIS STATE AND ISSUE AN ORDER REQUIRING~~
8 ~~THE PERSON TO CEASE ALL GEOENGINEERING ACTIVITIES. A PERSON THAT RECEIVES~~
9 ~~AN ORDER SHALL CEASE ANY ACTIVITY NOTED BY THE DIRECTOR AS GEOENGINEERING~~
10 ~~UNTIL THE PERSON DEMONSTRATES THAT THE ACTIVITY IS CONSISTENT WITH THE~~
11 ~~LAWS OF THIS STATE.~~

12 ~~G. THE DIRECTOR SHALL INVESTIGATE ANY CREDIBLE REPORTS OF EXCESSIVE~~
13 ~~ELECTROMAGNETIC RADIATION OR FIELDS CAUSED BY HUMAN ACTIVITY IN ANY PART~~
14 ~~OF THE SPECTRUM, INCLUDING RADIOFREQUENCY, MICROWAVE, MASER, INFRARED,~~
15 ~~LASER AND IONIZING RADIATION, TO ENSURE THAT THERE HAS NOT BEEN A~~
16 ~~VIOLATION OF THIS SECTION OR THE RULES ADOPTED PURSUANT TO THIS SECTION.~~

17 ~~H. THE DIRECTOR SHALL POST ANY NOTICE THAT IS ISSUED PURSUANT TO~~
18 ~~THIS SECTION ON THE DEPARTMENT'S WEBSITE.~~

19 ~~I. ANY PERSON FOUND TO ENGAGE IN GEOENGINEERING IN VIOLATION OF~~
20 ~~THIS SECTION SHALL BE GUILTY OF A CLASS 4 FELONY AND LIABLE FOR A CIVIL~~
21 ~~PENALTY OF NOT LESS THAN \$500,000 PER VIOLATION. EACH DAY THAT A PERSON~~
22 ~~ENGAGES IN GEOENGINEERING IS A SEPARATE VIOLATION.~~

23 ~~J. FOR THE PURPOSES OF THIS SECTION:~~

24 ~~1. "AEROSOL INJECTION" MEANS THE RELEASE OF REFLECTIVE SULFATE OR~~
25 ~~OTHER AEROSOL PARTICLES IN THE STRATOSPHERE BY HIGH ALTITUDE PLANES,~~
26 ~~TETHERED BALLONS, HIGH-ALTITUDE BLIMPS, ARTILLERY OR OTHER MEANS.~~

27 ~~2. "ATMOSPHERIC POLLUTING ACTIVITY" MEANS ANY DELIBERATE RELEASE OF~~
28 ~~ANY TYPE OF AEROSOL, BIOLOGICAL AGENT, NONBIOLOGICAL AGENT, CHAFF,~~
29 ~~GENETICALLY MODIFIED AGENT, METAL, RADIOACTIVE MATERIAL, VAPOR,~~
30 ~~ELECTROMAGNETIC RADIATION OR FIELD, MECHANICAL VIBRATION, PARTICLE OF ANY~~
31 ~~SIZE OR ANY AIR POLLUTANT THAT IS REGULATED BY THIS STATE OR ANY~~
32 ~~COMBINATION THEREOF THAT MAY HAVE HARMFUL CONSEQUENCES ON HUMAN HEALTH,~~
33 ~~THE ENVIRONMENT OR AGRICULTURE.~~

34 ~~3. "CHAFF" MEANS ALUMINUM-COATED SILICA GLASS FIBERS, TYPICALLY~~
35 ~~DISPERSED IN BUNDLES THAT CONTAIN MILLIONS OF INHALABLE FIBERS THAT BREAK~~
36 ~~APART AND FALL TO THE GROUND.~~

37 ~~4. "CLOUD SEEDING" MEANS A TYPE OF WEATHER MODIFICATION THAT~~
38 ~~INVOLVES THE DELIBERATE INTRODUCTION OF VARIOUS SUBSTANCES INTO A CLOUD TO~~
39 ~~INDUCE OR INCREASE PRECIPITATION.~~

40 ~~5. "GEOENGINEERING" MEANS THE INTENTIONAL MANIPULATION OF THE~~
41 ~~ENVIRONMENT THROUGH ATMOSPHERIC POLLUTING ACTIVITIES TO EFFECT CHANGE ON~~
42 ~~THE EARTH'S ATMOSPHERE OR SURFACE, INCLUDING ALL OF THE FOLLOWING:~~

43 ~~(a) WEATHER MODIFICATION.~~

44 ~~(b) AEROSOL INJECTION.~~

45 ~~(c) CLOUD SEEDING.~~

46 ~~(d) SOLAR RADIATION MODIFICATION.~~

1 ~~6. "MASER" MEANS A DEVICE THAT USES THE SIMULATED EMISSION OF~~
2 ~~RADIATION BY EXCITED ATOMS TO AMPLIFY OR GENERATE RADIATION IN THE~~
3 ~~MICROWAVE RANGE.~~

4 ~~7. "RELEASE":~~

5 ~~(a) MEANS ANY ACTIVITY THAT RESULTS IN THE ISSUANCE OF ANY TYPE OF~~
6 ~~AEROSOL, BIOLOGICAL AGENT, NONBIOLOGICAL AGENT, CHAFF, GENETICALLY~~
7 ~~MODIFIED AGENT, METAL, RADIOACTIVE MATERIAL, VAPOR, ELECTROMAGNETIC~~
8 ~~RADIATION OR FIELD, MECHANICAL VIBRATION, PARTICLE OF ANY SIZE OR ANY AIR~~
9 ~~POLLUTANT REGULATED BY THIS STATE OR ANY COMBINATION THEREOF.~~

10 ~~(b) INCLUDES THE EMISSIONS, TRANSMISSION, DISCHARGE OR INJECTION OF~~
11 ~~ANY NUCLEAR BIOLOGICAL, CHEMICAL OR PHYSICAL AGENT INTO THE AMBIENT~~
12 ~~ATMOSPHERE.~~

13 ~~8. "SOLAR RADIATION MODIFICATION" MEANS ANY ATTEMPT TO REDUCE~~
14 ~~GLOBAL TEMPERATURES BY REFLECTING MORE SUNLIGHT INTO SPACE OR ALLOWING~~
15 ~~MORE INFRARED RADIATION FROM EARTH TO ESCAPE THAN WOULD NATURALLY OCCUR.~~

16 ~~9. "WEATHER MODIFICATION" MEANS THE ATTEMPT TO OR THE CHANGING,~~
17 ~~CONTROLLING OR INTERFERING WITH THE NATURAL DEVELOPMENT OF CLOUD FORMS,~~
18 ~~PRECIPITATION, BAROMETRIC PRESSURE, TEMPERATURE, CONDUCTIVITY OR OTHER~~
19 ~~ELECTROMAGNETIC OR SONIC CHARACTERISTIC OF THE ATMOSPHERE.]~~

20 ~~[C. A GOVERNMENTAL ENTITY OF THIS STATE, INCLUDING ANY PUBLIC~~
21 ~~UNIVERSITY, MAY NOT PROVIDE ANY GRANTS FOR THE DEVELOPMENT OF SOLAR~~
22 ~~RADIATION MANAGEMENT TECHNOLOGIES.~~

23 ~~D. ANY RESIDENT OF THIS STATE MAY FILE AN ACTION IN THE SUPERIOR~~
24 ~~COURT ALLEGING A VIOLATION OF THIS SECTION. IF THE COURT FINDS A VIOLATION~~
25 ~~OF THIS SECTION, THE SUPERIOR COURT SHALL AWARD INJUNCTIVE RELIEF AND~~
26 ~~REASONABLE ATTORNEY FEES TO THE PREVAILING PARTY. THE SUPERIOR COURT MAY~~
27 ~~AWARD OTHER RELIEF AS THE COURT FINDS NECESSARY.~~

28 ~~E. THE DIRECTOR MAY AUTHORIZE A PERSON TO USE EQUIPMENT OR~~
29 ~~TECHNOLOGY TO SUPPLY THE PEOPLE OF THIS STATE WITH WATER. A PERSON THAT~~
30 ~~WISHES TO USE EQUIPMENT OR TECHNOLOGY SHALL SUBMIT A STUDY OF THE~~
31 ~~POTENTIAL ADVERSE IMPACTS TO THE ENVIRONMENT AND PUBLIC HEALTH, ALONG WITH~~
32 ~~THE PERSON'S APPLICATION. THE DIRECTOR MAY NOT APPROVE AN APPLICATION~~
33 ~~UNLESS THE DIRECTOR PRESENTS THE FINDINGS OF THE STUDY TO THE HOUSE OF~~
34 ~~REPRESENTATIVES NATURAL RESOURCES, ENERGY AND WATER COMMITTEE AND THE~~
35 ~~SENATE NATURAL RESOURCES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND~~
36 ~~ALLOWS FOR PUBLIC INPUT.]~~

37 <<Sec. 4. Report

38 The director shall conduct a study of all activities prohibited by
39 section 49-119, subsection A. Arizona Revised Statutes, that have occurred
40 in this state, planned to occur before the effective date of this act or
41 advocated for the use of in this state. On or before January 1, 2026, the
42 director shall submit a written report on the study to the governor,
43 president of the senate and speaker of the house of representatives and
44 provide a copy to the secretary of state.>>

1 Sec. 5. Legislative findings

2 The legislature finds that:

3 ~~[1. Atmospheric polluting activities involving the intentional~~
4 ~~release of polluting emissions, including weather modification,~~
5 ~~stratospheric aerosol injection, solar radiation modification and other~~
6 ~~forms of geoengineering.~~

7 ~~2. Endanger human health and safety and the environment.~~

8 ~~3. Threaten air, water, soil and wildlife resources.~~

9 ~~4. Disrupt agricultural operations.~~

10 ~~5. Potentially interfere with aviation, state security and the~~
11 ~~economy of this state.~~

12 ~~B. Pursuant to the tenth amendment of the United States~~
13 ~~Constitution, article II, section 3 of the Arizona Constitution and the~~
14 ~~inherent right for citizens of this state to engage in thoughtful~~
15 ~~deliberation and determine public policy by voting, the citizens of this~~
16 ~~state do not consent to any unconstitutional actions or efforts made by~~
17 ~~the federal government or international bodies that intentionally release~~
18 ~~polluting emissions into this state's atmosphere through geoengineering,~~
19 ~~cloud seeding, weather modification or any other means.~~

20 ~~C. To preserve the safe and healthful uses of this state's~~
21 ~~atmosphere for its people, environment and agriculture and to improve~~
22 ~~beneficial climate efforts, it is necessary to prohibit geoengineering and~~
23 ~~to provide for enforcement and penalties for violative activities.]~~

24 ~~[1. Geoengineering is the deliberate large-scale manipulation of~~
25 ~~environmental processes that affects the Earth's climate in an attempt to~~
26 ~~counteract the effects of climate change. Utibe Effiong & Richard L.~~
27 ~~Neitzel, Assessing the Direct Occupational and Public Health Impacts of~~
28 ~~Solar Radiation Management with Stratospheric Aerosols, 15 ENVTL. HEALTH 7~~
29 ~~(2016), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4717532/>.~~

30 ~~2. Geoengineering uses aerosols (small particles) or other~~
31 ~~materials to increase the reflectivity of the atmosphere, clouds or the~~
32 ~~Earth's surface. Solar Radiation Modification: NOAA State of the Science~~
33 ~~Factsheet, CLIMATE.GOV, [https://www.climate.gov/news-](https://www.climate.gov/news-features/understanding-climate/solar-radiation-modification-noaa-state-science-factsheet)~~
34 ~~features/understanding-climate/solar-radiation-modification-noaa-state-~~
35 ~~science-factsheet (Oct. 3rd, 2024).~~

36 ~~3. Research into the deployment of this technology receives funding~~
37 ~~from multiple sources, including Arizona state university, and Harvard has~~
38 ~~proposed to use this state as a guinea pig for such technology. LOIs on~~
39 ~~Solar Radiation Management, ASU Knowledge Enterprise Research Development,~~
40 ~~[https://funding.asu.edu/philanthropic-opportunities/lois-solar-radiation-](https://funding.asu.edu/philanthropic-opportunities/lois-solar-radiation-management)~~
41 ~~management (last visited Jan. 25, 2025); James Temple, [Harvard Scientists~~
42 ~~Moving Ahead on Plans for Atmospheric Geoengineering Experiments], MIT~~
43 ~~TECH. REV. (Mar. 24, 2017),~~
44 ~~[https://www.technologyreview.com/2017/03/24/153028/harvard-scientists-](https://www.technologyreview.com/2017/03/24/153028/harvard-scientists-moving-ahead-on-plans-for-atmospheric-geoengineering-experiments/)~~
45 ~~moving-ahead-on-plans-for-atmospheric-geoengineering-experiments/.~~

46 ~~4. Geoengineering poses unacceptably high environmental, social,~~
47 ~~and geopolitical risks. What Is Solar Geoengineering?, Union of Concerned~~

1 Scientists, <https://www.ucsusa.org/resources/what-solar-geoengineering>
2 (last visited Jan. 25, 2025).

3 5. Because potential adverse public health consequences from the
4 deployment of geoengineering in our state include chronic respiratory
5 ailments and increased cancer risk. Effiong, U., & Neitzel, R. L. (2016).
6 Assessing the Direct Occupational and Public Health Impacts of Solar
7 Radiation Management with Stratospheric Aerosols. 15 ENVTL. HEALTH 7.
8 PMC4717532, the use of such technologies requires the widespread consent
9 of the public, which the people of this state are unwilling to offer.

10 6. Pursuant to their Tenth Amendment right to regulate in matters
11 of public health, and the inherent right for citizens of this state to
12 engage in thoughtful deliberation and determine public policy by voting,
13 the citizens of this state do not consent to the public health risks of
14 geoengineering and it is therefore prohibited.]

15 Enroll and engross to conform

16 Amend title to conform

And, as so amended, it do pass

JOSEPH CHAPLIK
CHAIRMAN

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01/28/2025

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C: CT