

REFERENCE TITLE: **geoengineering; prohibition**

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2056

Introduced by
Representative Fink

AN ACT

AMENDING SECTION 45-117, ARIZONA REVISED STATUTES; REPEALING TITLE 45, CHAPTER 9, ARIZONA REVISED STATUTES; AMENDING TITLE 49, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 49-119; RELATING TO CLIMATE MODIFICATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
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.
28 E. Any fee, assessment or other levy that is authorized by law or
29 administrative rule and that is collected and deposited in the water
30 resources fund shall be held in trust. The monies in the fund may be used
31 only for the purposes prescribed by statute and shall not be appropriated
32 or transferred by the legislature to fund the general operations of this
33 state or to otherwise meet the obligations of the general fund of this
34 state. This subsection does not apply to any taxes or other levies that
35 are imposed pursuant to title 42 or 43.
36 Sec. 2. Repeal
37 Title 45, chapter 9, Arizona Revised Statutes, is repealed.
38 Sec. 3. Title 49, chapter 1, article 1, Arizona Revised Statutes,
39 is amended by adding section 49-119, to read:
40 49-119. Geoengineering; prohibition; public reporting;
41 notice; violation; classification; civil penalties;
42 definitions
43 A. NOTWITHSTANDING ANY OTHER LAW, A PERSON MAY NOT ENGAGE IN
44 GEOENGINEERING. THE DIRECTOR SHALL INVESTIGATE ANY CREDIBLE REPORTS OF
45 GEOENGINEERING IN THIS STATE.

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

- 3 1. A GOVERNMENT AGENCY.
- 4 2. A RESEARCH PROJECT.
- 5 3. A UNIVERSITY.
- 6 4. A PUBLIC OR PRIVATE ORGANIZATION.
- 7 5. A MILITARY FORCE.

8 C. THE DIRECTOR SHALL ACTIVELY ENCOURAGE THE PUBLIC TO MONITOR,
9 DOCUMENT AND REPORT ANY INSTANCES OF GEOENGINEERING IN THIS STATE. THE
10 DIRECTOR MAY POST NOTICE IN ANY NEWSPAPER OF GENERAL CIRCULATION
11 ENCOURAGING THE PUBLIC TO COLLECT EVIDENCE OF GEOENGINEERING AND REPORT
12 ANY INFORMATION GATHERED TO THE DIRECTOR.

13 D. ANY PERSON WHO GATHERS EVIDENCE OF GEOENGINEERING IN THIS STATE
14 SHALL SUBMIT THE EVIDENCE, INCLUDING THE LOCATION OF THE EVIDENCE
15 GATHERED, BY EMAIL OR IN WRITING TO THE DIRECTOR, ANY PEACE OFFICER OR ANY
16 PUBLIC OFFICIAL.

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

21 F. WITHIN TWO HOURS OF THE DIRECTOR'S RECEIPT OF CREDIBLE REPORTS
22 OF GEOENGINEERING, THE DIRECTOR SHALL CONDUCT EMERGENCY MEASURES TO
23 DETERMINE WHETHER GEOENGINEERING HAS OCCURRED AT THE LOCATION INDICATED BY
24 THE EVIDENCE. IF THE DIRECTOR DETERMINES A PERSON HAS VIOLATED THIS
25 SECTION, REGARDLESS OF APPROVAL OF THE FEDERAL GOVERNMENT, THE DIRECTOR
26 SHALL IMMEDIATELY ISSUE A FORMAL NOTICE TO THE PERSON STATING THAT
27 GEOENGINEERING IS PROHIBITED IN THIS STATE AND ISSUE AN ORDER REQUIRING
28 THE PERSON TO CEASE ALL GEOENGINEERING ACTIVITIES. A PERSON THAT RECEIVES
29 AN ORDER SHALL CEASE ANY ACTIVITY NOTED BY THE DIRECTOR AS GEOENGINEERING
30 UNTIL THE PERSON DEMONSTRATES THAT THE ACTIVITY IS CONSISTENT WITH THE
31 LAWS OF THIS STATE.

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

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

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

- 1 J. FOR THE PURPOSES OF THIS SECTION:
2 1. "AEROSOL INJECTION" MEANS THE RELEASE OF REFLECTIVE SULFATE OR
3 OTHER AEROSOL PARTICLES IN THE STRATOSPHERE BY HIGH ALTITUDE PLANES,
4 TETHERED BALLONS, HIGH-ALTITUDE BLIMPS, ARTILLERY OR OTHER MEANS.
5 2. "ATMOSPHERIC POLLUTING ACTIVITY" MEANS ANY DELIBERATE RELEASE OF
6 ANY TYPE OF AEROSOL, BIOLOGICAL AGENT, NONBIOLOGICAL AGENT, CHAFF,
7 GENETICALLY MODIFIED AGENT, METAL, RADIOACTIVE MATERIAL, VAPOR,
8 ELECTROMAGNETIC RADIATION OR FIELD, MECHANICAL VIBRATION, PARTICLE OF ANY
9 SIZE OR ANY AIR POLLUTANT THAT IS REGULATED BY THIS STATE OR ANY
10 COMBINATION THEREOF THAT MAY HAVE HARMFUL CONSEQUENCES ON HUMAN HEALTH,
11 THE ENVIRONMENT OR AGRICULTURE.
12 3. "CHAFF" MEANS ALUMINUM-COATED SILICA GLASS FIBERS, TYPICALLY
13 DISPERSED IN BUNDLES THAT CONTAIN MILLIONS OF INHALABLE FIBERS THAT BREAK
14 APART AND FALL TO THE GROUND.
15 4. "CLOUD SEEDING" MEANS A TYPE OF WEATHER MODIFICATION THAT
16 INVOLVES THE DELIBERATE INTRODUCTION OF VARIOUS SUBSTANCES INTO A CLOUD TO
17 INDUCE OR INCREASE PRECIPITATION.
18 5. "GEOENGINEERING" MEANS THE INTENTIONAL MANIPULATION OF THE
19 ENVIRONMENT THROUGH ATMOSPHERIC POLLUTING ACTIVITIES TO EFFECT CHANGE ON
20 THE EARTH'S ATMOSPHERE OR SURFACE, INCLUDING ALL OF THE FOLLOWING:
21 (a) WEATHER MODIFICATION.
22 (b) AEROSOL INJECTION.
23 (c) CLOUD SEEDING.
24 (d) SOLAR RADIATION MODIFICATION.
25 6. "MASER" MEANS A DEVICE THAT USES THE SIMULATED EMISSION OF
26 RADIATION BY EXCITED ATOMS TO AMPLIFY OR GENERATE RADIATION IN THE
27 MICROWAVE RANGE.
28 7. "RELEASE":
29 (a) MEANS ANY ACTIVITY THAT RESULTS IN THE ISSUANCE OF ANY TYPE OF
30 AEROSOL, BIOLOGICAL AGENT, NONBIOLOGICAL AGENT, CHAFF, GENETICALLY
31 MODIFIED AGENT, METAL, RADIOACTIVE MATERIAL, VAPOR, ELECTROMAGNETIC
32 RADIATION OR FIELD, MECHANICAL VIBRATION, PARTICLE OF ANY SIZE OR ANY AIR
33 POLLUTANT REGULATED BY THIS STATE OR ANY COMBINATION THEREOF.
34 (b) INCLUDES THE EMISSIONS, TRANSMISSION, DISCHARGE OR INJECTION OF
35 ANY NUCLEAR BIOLOGICAL, CHEMICAL OR PHYSICAL AGENT INTO THE AMBIENT
36 ATMOSPHERE.
37 8. "SOLAR RADIATION MODIFICATION" MEANS ANY ATTEMPT TO REDUCE
38 GLOBAL TEMPERATURES BY REFLECTING MORE SUNLIGHT INTO SPACE OR ALLOWING
39 MORE INFRARED RADIATION FROM EARTH TO ESCAPE THAN WOULD NATURALLY OCCUR.
40 9. "WEATHER MODIFICATION" MEANS THE ATTEMPT TO OR THE CHANGING,
41 CONTROLLING OR INTERFERING WITH THE NATURAL DEVELOPMENT OF CLOUD FORMS,
42 PRECIPITATION, BAROMETRIC PRESSURE, TEMPERATURE, CONDUCTIVITY OR OTHER
43 ELECTROMAGNETIC OR SONIC CHARACTERISTIC OF THE ATMOSPHERE.

1 Sec. 4. Legislative findings
2 A. 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.