

1 AN ACT relating to geoengineering.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 512 IS CREATED TO  
4 READ AS FOLLOWS:

5 *The General Assembly hereby finds and declares that:*

6 *(1) Geoengineering, including but not limited to solar radiation modification,*  
7 *weather modification, stratospheric aerosol injection, and other forms of*  
8 *atmospheric polluting intervention:*

9 *(a) Endangers human health and safety and the environment;*

10 *(b) Threatens air, water, soil, and wildlife resources;*

11 *(c) Disrupts agricultural operations; and*

12 *(d) Potentially interferes with aviation, state security, and the economy of the*  
13 *Commonwealth;*

14 *(2) Pursuant to the Tenth Amendment of the Constitution of the United States and*  
15 *the inherent right for Kentucky citizens to engage in thoughtful deliberation and*  
16 *determine public policy by voting, the citizens of the Commonwealth do not*  
17 *consent to any unconstitutional actions or efforts made by the federal government*  
18 *or international bodies that release atmospheric contaminants into the*  
19 *Commonwealth's atmosphere through geoengineering, solar radiation*  
20 *modification, cloud seeding, weather modification, or any other means;*

21 *(3) As recognized by the World Meteorological Organization in guidelines it adopted*  
22 *in 2017, weather modification activities should not be undertaken without*  
23 *considering the high levels of uncertainty involved and the potential harm that*  
24 *could result; and*

25 *(4) To preserve the safe and healthful uses of the Commonwealth's atmosphere for*  
26 *its people, environment, wildlife, and agriculture, and to improve beneficial*  
27 *climate efforts, it is necessary to prohibit geoengineering, including but not*

1 limited to solar radiation modification, and to provide for enforcement and  
2 penalties for violative activities.

3 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 512 IS CREATED TO  
4 READ AS FOLLOWS:

5 As used in Sections 1 to 3 of this Act:

6 (1) "Artificial intelligence" means systems or machines that mimic human  
7 intelligence to perform tasks and that can iteratively improve themselves based on  
8 the information they collect;

9 (2) (a) "Atmospheric contaminant" means any type of aerosol, biological,  
10 nonbiological, or hazardous agent, chaff, chemical, chemical compound,  
11 genetically modified agent, metal, radioactive material, substance, vapor,  
12 electromagnetic radiation or field, mechanical vibration, particulate of any  
13 size, or any air pollutant regulated by the Commonwealth, and any  
14 combination thereof.

15 (b) "Atmospheric contaminant" does not include engine exhaust from an  
16 aircraft using unadulterated certified aviation fuel;

17 (3) "Atmospheric polluting intervention" means any manipulation or interference  
18 with earth's natural systems or processes by altering atmospheric or  
19 environmental conditions, including but not limited to:

20 (a) Stratospheric aerosol injection;

21 (b) Cloud seeding;

22 (c) Solar radiation modification; and

23 (d) The release of an atmospheric contaminant by any human, or by artificial  
24 intelligence, or any combination thereof, that occurs in the atmosphere and  
25 that may have harmful consequences on human health, the environment, or  
26 agriculture;

27 (4) "Chaff" means aluminum-coated silica glass fibers, typically dispersed in

- 1 bundles containing millions of inhalable fibers, which break apart and fall to the  
2 ground;
- 3 (5) "Cloud seeding" means a type of weather modification that attempts to change  
4 the amount or type of precipitation from a cloud by dispersing any one (1) or  
5 more atmospheric contaminants into the air;
- 6 (6) "Geoengineering" means the intentional manipulation of the environment,  
7 through an atmospheric polluting intervention, to effect changes to the earth's  
8 atmosphere or surface, including but not limited to the practices of weather  
9 modification, solar radiation modification, stratospheric aerosol injection, and  
10 cloud seeding;
- 11 (7) "Hazardous" means a substance, apparatus, activity, or physical agent that by its  
12 nature is harmful to living organisms, property, or any other valuable interest;
- 13 (8) "Person" means any natural person, trust, firm, joint stock company,  
14 corporation, quasi-governmental corporation, nongovernmental organization,  
15 public or private partnership, association, syndicate, club, college, university, any  
16 agency, subdivision, or instrumentality of federal, state, or local government, or  
17 any interstate or international governance body;
- 18 (9) "Physical agent" means a source of energy that may cause injury through  
19 excessive exposure, including but not limited to radiofrequency, microwave, and  
20 other electromagnetic radiation and fields, barometric pressure, temperature,  
21 gravity, mechanical vibration, and sound;
- 22 (10) "Release" means any activity that results in the issuance of atmospheric  
23 contaminants such as the emitting, transmitting, discharging, or injecting of one  
24 (1) or more nuclear, biological, chemical, or physical agents into the ambient  
25 atmosphere, whether once, intermittently, or continuously;
- 26 (11) "Solar radiation modification" means an experiment in the earth's climatic  
27 system involving the release of atmospheric contaminants that reduce the amount

1 of sunlight reaching the earth's surface through the use of interoperable ground-  
2 based, airborne, space-based, or other facilities;

3 (12) "Stratospheric aerosol injection" means the release of reflective sulfate or other  
4 aerosol substances in the stratosphere by high altitude planes, balloons, high-  
5 altitude blimps, artillery, or any other means; and

6 (13) "Weather modification" means the changing, controlling, or interfering with or  
7 attempting to change, control, or interfere with the natural development of cloud  
8 forms, precipitation, barometric pressure, temperature, conductivity or other  
9 electromagnetic or sonic characteristics of the atmosphere.

10 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 512 IS CREATED TO  
11 READ AS FOLLOWS:

12 (1) A person is guilty of criminal atmospheric pollution when he or she intentionally  
13 or wantonly engages in any atmospheric polluting intervention.

14 (2) Criminal atmospheric pollution shall be a Class D felony. Notwithstanding KRS  
15 534.030 and 534.050, and in addition to any other penalties that may apply, a  
16 person guilty of criminal atmospheric pollution shall pay a civil penalty of not  
17 less than five hundred thousand dollars (\$500,000). Each day that a person  
18 engages in criminal atmospheric pollution shall be considered a separate offense.

19 (3) All peace officers of the Commonwealth shall enforce the requirements of this  
20 section, and a citizen may make a complaint to any peace officer or local law  
21 enforcement official relating to any suspected violation of this section.

22 (4) If any criminal atmospheric pollution has been approved, explicitly or implicitly,  
23 by a federal government agency or official, the arresting officer shall issue a  
24 notice to the appropriate federal agency or official that the criminal atmospheric  
25 pollution intervention cannot lawfully be carried out within or over the  
26 Commonwealth.