

2025 Regular Session

HOUSE BILL NO. 608

BY REPRESENTATIVE COATES AND SENATOR HODGES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ENVIRONMENT: Creates the Louisiana Atmospheric Protection Act

1 AN ACT

2 To enact Chapter 24 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 30:2591 through 2596, and to repeal Chapter 25 of Title 37 of
4 the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2201 through 2208,
5 relative to atmospheric and weather modification; to create the "Louisiana
6 Atmospheric Protection Act"; to create the "Atmospheric Protection Fund"; to
7 provide definitions; to prohibit weather modification activities; to provide oversight
8 and enforcement; to create penalties including imprisonment; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 24 of Subtitle II of Title 30 of the Louisiana Revised Statutes of
12 1950, comprised of R.S. 30:2591 through 2596, is hereby enacted to read as follows:

13 CHAPTER 24. LOUISIANA ATMOSPHERIC PROTECTION14 §2591. Title and citation

15 This Chapter shall be known and may be cited as the "Louisiana Atmospheric
16 Protection Act".

17 §2592. Definitions

18 The following terms, as used in this Chapter, unless the context otherwise
19 requires, shall have the following meanings:

1 (1) "Air National Guard" shall mean the Louisiana Air National Guard, the
2 aerial militia of the state of Louisiana, United States of America. It is an element of
3 the Louisiana National Guard as well as the Louisiana Army National Guard. As
4 state militia, Louisiana National Guard units are not typically part of the normal
5 United States Air Force chain of command unless federalized. They are under the
6 jurisdiction of the governor of Louisiana through the office of the Louisiana Adjutant
7 General unless they are federalized by order of the President of the United States.
8 In the event that the Louisiana National Guard is federalized, the governor shall form
9 a State Guard pursuant to R.S. 29:7.1 to defend Louisiana airspace.

10 (2) "Artificial intelligence" means a field of science and technology
11 encompassing systems and tools that can perform tasks typically requiring human
12 intelligence, such as learning, reasoning, pattern recognition, and decision making,
13 often through computational techniques like machine learning and neural networks.

14 (3) "Atmospheric activity" means any polluting experiment or intervention
15 conducted by any iteration of human or machine learning or artificial intelligence,
16 or any combination thereof, that occurs in the atmosphere and may have harmful
17 consequences on human health, the environment, or agriculture.

18 (4) "Cloud-seeding" is a type of weather engineering or experimentation that
19 may change the amount or type of precipitation by dispersing chemicals or chemical
20 compounds such as dry ice, silver iodine, or trimethylaluminum into the atmosphere
21 by means of aircraft or ground generators.

22 (5) "Entity" shall mean any of the following:

23 (a) Individual.

24 (b) Trust.

25 (c) Firm.

26 (d) Joint stock company.

27 (e) Corporation, including a quasi-governmental corporation.

28 (f) Nongovernmental organization.

29 (g) Public or private partnership.

1 (h) Association.

2 (i) Syndicate.

3 (j) Municipality or municipal agency.

4 (k) Program.

5 (l) Fire district.

6 (m) Club.

7 (n) Nonprofit agency.

8 (o) Commission.

9 (p) University, college, or academic institution.

10 (q) Department or agency of this state.

11 (r) The federal government or any interstate or international governance or
12 instrumentality thereof, including foreign, domestic, and mercenary armed services
13 or region within the United States.

14 (s) Artificial intelligence.

15 (6) "Geoengineering" means the intentional large-scale alteration or
16 manipulation of the environment, typically involving the release of aerosols,
17 chemicals, chemical compounds, electromagnetic radiation or other physical agents
18 that increase air pollution and effect changes to earth's atmosphere or surface,
19 inclusive of solar radiation modification, sunlight reflection methods, stratospheric
20 aerosol injection, cirrus cloud thinning, marine cloud brightening, or cloud-seeding.

21 (7) "Hazard" means a process, substance, or physical agent that by its nature
22 is harmful to living organisms generally, to property, or to any other interest of
23 value.

24 (8) "Intervention" means the act of interfering with weather processes or
25 altering atmospheric or environmental conditions by releasing pollutants by methods
26 including but not limited to solar radiation modification, stratospheric aerosol
27 injection, marine cloud brightening, cirrus cloud thinning, weather modification,
28 cloud-seeding, or outdoor pollution dispersion modeling.

1 (9) "Machine learning" means the process in which a machine can learn on
2 its own without being explicitly programmed.

3 (10) "Physical agent" means an agent, other than a substance, including but
4 not limited to radio frequency and microwave radiation and other electromagnetic
5 radiation and fields, barometric pressure, temperature, gravity, kinetic or de facto
6 weaponry, mechanical vibrations, and sound.

7 (11) "Pollutant" means any solid, liquid, gaseous, or thermal irritant,
8 contaminant or substance, including smoke, vapor, soot, fumes, aerosol, acid, alkalis,
9 chemicals, chemical compounds, smart dust, artificially produced electric fields,
10 magnetic fields, electromagnetic fields, electromagnetic pulse, sound waves, sound
11 pollution, light pollution, microwaves and all artificially produced ionizing or
12 non-ionizing radiation or waste.

13 (12) "Pollution" means the discharge, dispersal, deposition, release, seepage,
14 migration, or escape of pollutants.

15 (13) "Release" means any activity that results in the issuance of
16 contaminants such as the emitting, transmitting, discharging, or injecting of one or
17 more nuclear, biological, trans-biological, chemical or physical agents into the
18 ambient atmosphere, whether once, intermittently, or continuously.

19 (14) "Sheriff" means a Louisiana sheriff with the authority to enforce the
20 laws of the state.

21 (15) "Solar radiation modification" means an experiment in the earth's
22 climatic system involving the release of pollutants that reduces the amount of
23 sunlight reaching the earth's surface. Scientific dimensions of solar radiation
24 modification include the use of interoperable ground-based, airborne, and
25 space-based facilities.

26 (16) "State guard" means a state defense force in addition to, and distinct
27 from, the Louisiana State Guard as authorized under Louisiana state law under R.S.
28 29:5.

29 (17) "Waste" means materials to be recycled, reconditioned, or reclaimed.

1 (18) "Weather engineering" means the deliberate manipulation or alteration
2 of the environment for the purpose of changing the weather or climate by artificial
3 means, typically involving the deliberate release of pollutants in the atmosphere via
4 cloud-seeding, for small-scale, large-scale and global-scale alteration of the
5 environment.

6 (19) "Weather modification" means changing, controlling or interfering with
7 or 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 §2593. Prohibition

11 A. No person or entity shall engage in or permit the use of solar radiation
12 modification, weather modification, cloud-seeding, or any other atmospheric
13 pollution for the purpose of atmospheric experiments or interventions through the
14 use of aircraft, balloons, a space-based platform, ground generators, or an
15 interoperable ground-based facility.

16 B. Any person or entity found to be in violation of Subsection A of this
17 Section shall be assessed a penalty of two hundred thousand dollars.

18 §2594. General rule

19 A. Government and armed forces projects shall meet all the requirements of
20 this Chapter. If an activity deemed a hazard by this Chapter has been approved,
21 explicitly or implicitly, by the federal government, the Department of Agriculture
22 and Forestry shall issue a notice to the appropriate federal agency that the activity
23 cannot lawfully be carried out within or over the state of Louisiana.

24 B. The Department of Agriculture and Forestry shall implement this Chapter,
25 determining whether violations have occurred and if deemed necessary shall refer
26 potentially prohibited activity to the Louisiana Air National Guard or State Guard.

1 §2595. Infrastructure requirements

2 A. As established in this Chapter, scientific dimensions of solar radiation
3 modification include the use of interoperable ground-based, airborne, and
4 space-based facilities involving the release of pollutants including radiation.

5 B. There are ever-increasing numbers of pollution-generating,
6 microwave-irradiating instruments used in weather experimentation, including but
7 not limited to ground-based facilities interoperable with drones and satellites. The
8 infrastructure and the electrical grid are susceptible to radiation interference and
9 cyber-attacks, potentially leading to accidents, fatalities, damage to critical
10 infrastructure, possible collapse of commerce systems and the failure of essential
11 public utilities, costing the state billions of dollars. Therefore, communications
12 infrastructure shall be subject to evaluation by an independent licensed radio
13 frequency engineer paid for by the facility owner. This evaluation must be
14 completed by January 1, 2026, and then annually on each January first thereafter.
15 The radio frequency engineer shall provide findings in a report to be submitted to the
16 Louisiana Department of Environmental Quality. Radiation signal strength metered
17 at the reported location shall not exceed -75 dBm (decibel-milliwatt) for any
18 frequency or channel band specified by a transmitting entity's Federal
19 Communications Commission transmission license; or, maximum power output limit
20 from all frequencies and antennas from a wireless facility shall not exceed 0.1 watts
21 of effective radiated power so as to provide -75 dBm signal strength at a half mile,
22 or five bars on a cell phone. If signal strength metered by a radio frequency engineer
23 is in excess of -75 dBm (decibel-milliwatt), the facility operator has thirty days to
24 achieve compliance without disruption to performance of personal wireless services.
25 Failure to comply will result in a fine of not less than five hundred thousand dollars
26 per day for each day the facility is out of compliance. All public and private entities
27 operating in the state must comply with these guidelines.

28 C. To ensure the economic protection and privacy of residents of the state
29 of Louisiana, the safe and secure deployment of hard-wired, fiber-optic connections

1 to the premises of homes, schools, and businesses shall be required, thereby
2 providing the ability to conduct financial transactions and complete life-saving
3 communications in the event that electronic interactions by existing means are
4 compromised, restricted, or otherwise not possible. To safeguard privacy, consumer
5 choice options including non-wireless routers, modems, and mechanical analog
6 utility meters, within a home, property, or business shall be offered to customers
7 without additional fees.

8 §2596. Atmospheric protection fund

9 A. There is hereby created in the state treasury as a special fund the
10 Atmospheric Protection Fund, hereinafter referred to in this Section as the "fund".
11 Monies transferred to the fund shall be deposited by the state treasurer after
12 compliance with the requirements of Article VII, Section 9(B) of the Constitution of
13 Louisiana relative to the Bond Security and Redemption Fund. Monies in the fund
14 shall be invested in the same manner as monies in the state general fund, and
15 unexpended and unencumbered monies in the fund at the end of the fiscal year shall
16 remain in the fund. Interest earned on the investment of monies in the fund shall be
17 deposited in and credited to the fund.

18 B. All money collected as fines under this Chapter shall be deposited into the
19 Atmospheric Protection Fund.

20 Section 2. Chapter 25 of Title 37 of the Louisiana Revised Statutes of 1950,
21 comprised of R.S. 37:2201 through 2208, is hereby repealed.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 608 Engrossed

2025 Regular Session

Coates

Abstract: Creates the "Louisiana Atmospheric Protection Act" to prohibit weather modification activities, provides oversight and enforcement, and creates penalties.

Proposed law creates the "Louisiana Atmospheric Protection Act" and provides definitions for "Air National Guard", "artificial intelligence", "atmospheric activity", "cloud-seeding", "entity", "geoengineering", "hazard", "intervention", "machine learning", "physical agent",

"pollutant", "pollution", "release", "sheriff", "solar radiation modification", "State Guard", "waste", "weather engineering", and "weather modification".

Proposed law prohibits the government or armed forces from violating the provisions of proposed law and authorized state police or sheriffs to enforce it.

Proposed law provides that if government or armed forces projects are being performed that are prohibited by proposed law, notice must be provided to the entity by the Dept. of Agriculture that the project is unlawful and to refer the entity to the La. Air National Guard or State Guard if needed.

Proposed law provides penalties for any entity or individual who engages in a polluting atmospheric intervention or any entity or individual who uses an unmarked or unidentified aircraft or other vehicle or facility to carry out solar radiation modification, stratospheric aerosol injection, geoengineering, weather modification, cloud-seeding, or any other polluting atmospheric intervention.

Proposed law provides for a civil penalty for violation of proposed law of \$200,000.

Proposed law creates the "Atmospheric Protection Fund" and provides for all fines collected under proposed law to be deposited into the fund.

Proposed law provides requirements for communications infrastructure and for independent testing to be performed and submitted to the Dept. of Environmental Quality.

Present law declares the state's rights to utilize the moisture contained in the clouds and atmosphere within the state boundaries and prohibits anyone from engaging in weather modification without obtaining a permit from the commissioner of the La. Dept. of Agriculture and Forestry.

Proposed law repeals present law.

Present law defines "weather modification" and "commissioner" as used in present law.

Proposed law repeals present law.

Present law provides for the licensing qualifications and evaluations, fees, and penalties for engaging in weather modification.

Proposed law repeals present law.

(Adds R.S. 30:2591-2596; Repeals R.S. 37:2201-2208)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Change penalty from criminal to civil with a fine of \$200,000.
2. Transfer authority to enforce prohibition from state police and law enforcement to the Dept. of Agriculture and Forestry.
3. Require radiation evaluation report to be submitted to the Dept. of Environmental Quality rather than the local sheriff.