

REFERENCE TITLE: climate; weather; modification; prohibition; penalties

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1098

Introduced by
Senator Kavanagh

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)

Be it enacted by the Legislature of the State of Arizona:

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

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

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

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

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

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

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

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

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

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

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

Sec. 2. Repeal

Title 45, chapter 9, Arizona Revised Statutes, is repealed.

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

49-119. Geoengineering; prohibition; exceptions; rules; violation; classification; civil penalty

A. NOTWITHSTANDING ANY OTHER LAW, A PERSON MAY NOT INTENTIONALLY INJECT, RELEASE OR DISPENSE BY ANY MEANS, INCLUDING BY AIRCRAFT, BALLON, DRONE, ROCKET, GROUND-BASED SYSTEM OR ANY OTHER MEANS, ANY CHEMICAL, CHEMICAL COMPOUND, SUBSTANCE OR APPARATUS WITHIN THE BORDERS OF THIS STATE

1 WITH THE EXPRESS PURPOSE OF AFFECTING TEMPERATURE, CLIMATE, WEATHER OR THE
2 INTENSITY OF SUNLIGHT.

3 B. THIS SECTION DOES NOT APPLY TO THE FOLLOWING:

4 1. NORMAL AIRCRAFT OPERATIONS THAT RESULT IN CONDENSATION TRAILS
5 COMPOSED SOLELY OF WATER VAPOR.

6 2. EMISSIONS FROM LAWFUL INDUSTRIAL, AGRICULTURAL OR TRANSPORTATION
7 ACTIVITIES THAT ARE NOT INTENDED TO ALTER WEATHER OR CLIMATE.

8 3. FIRE SUPPRESSION, EMERGENCY RESPONSE OR PUBLIC SAFETY
9 ACTIVITIES.

10 C. THE DEPARTMENT SHALL ADOPT RULES TO ESTABLISH A PROCESS FOR A
11 PERSON TO SUBMIT A COMPLAINT OR ALLEGE A VIOLATION OF THIS SECTION. ON
12 RECEIPT OF A CREDIBLE REPORT OF A VIOLATION OF THIS SECTION, THE
13 DEPARTMENT MAY INVESTIGATE AND COORDINATE WITH APPLICABLE STATE OR FEDERAL
14 AUTHORITIES.

15 D. A PERSON THAT VIOLATES THIS SECTION IS GUILTY OF A CLASS 4
16 FELONY. THE DEPARTMENT SHALL IMPOSE A CIVIL PENALTY OF NOT MORE THAN
17 \$100,000 PER VIOLATION. EACH ACT IS A SEPARATE VIOLATION.