

SENATE BILL NO. 319

INTRODUCED BY J. GROSS, W. CURDY, J. FLEMING, G. KIPP, K. MCCARTHY, S. MORIGEAU,
D. SALOMON, J. SMALL, B. SMITH, F. SMITH, S. STEWART-PEREGOY, S. WEBBER, L. WHITFORD,
J. WINDY BOY, D. SANDS

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A STATE AGENCY OR LOCAL GOVERNMENT
FROM PROHIBITING AN INDIVIDUAL FROM WEARING TRADITIONAL TRIBAL REGALIA OR OBJECTS OF
CULTURAL SIGNIFICANCE AT CERTAIN PUBLIC EVENTS; PROVIDING AN EXCEPTION; PROVIDING
DEFINITIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Tribal regalia and objects of cultural significance -- allowed at public events. (1) The purpose of this section is to help further the state's recognition of the distinct and unique cultural heritage of the American Indians and the state's commitment to preserving the American Indians' cultural integrity as provided in Article X, section 1(2), of the Montana constitution.

(2) ~~A (A) EXCEPT AS PROVIDED IN SUBSECTION (2)(B),~~ A state agency or a local government may not prohibit an individual from wearing traditional tribal regalia or objects of cultural significance at a public event.

(B) A STATE AGENCY OR LOCAL GOVERNMENT MAY PROHIBIT AN INDIVIDUAL FROM WEARING TRADITIONAL TRIBAL REGALIA OR OBJECTS OF CULTURAL SIGNIFICANCE AT A PUBLIC EVENT WHEN IT IS NECESSARY TO PREVENT OR MITIGATE IMMINENT OR EXISTING DANGER TO THE INDIVIDUAL'S OR ANOTHER PERSON'S HEALTH OR SAFETY.

(3) For purposes of this section, the following definitions apply:

(a) "Individual" means a human being regardless of age.

(b) "Local government" has the meaning provided in 2-2-102.

(c) "Public event" means an event held or sponsored by a state agency or a local government, including but not limited to an award ceremony, a graduation ceremony, or a public meeting.

(d) "State agency" has the meaning provided in 1-2-116.

NEW SECTION. Section 2. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell



1 Chippewa tribe.

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3 NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an
4 integral part of Title 2, and the provisions of Title 2 apply to [section 1].

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6 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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