

1 SENATE BILL NO. 179

2 INTRODUCED BY D. KARY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE EXPANSION OF PROHIBITIONS UNDER THE
5 MONTANA CLEAN INDOOR AIR ACT WITHOUT APPROVAL BY A LOCAL GOVERNING BODY; AND
6 AMENDING SECTION 50-40-108, MCA."

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

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10 **Section 1.** Section 50-40-108, MCA, is amended to read:

11 **"50-40-108. Enforcement -- prohibition on expansion without approval.** (1) The provisions of this
12 part must be supervised and enforced by the department and the department's designees, local boards of health,
13 and the boards' designees under the direction of the department.

14 (2) A rule or ordinance that prohibits smoking in places other than an enclosed public place is invalid and
15 unenforceable unless the rule or ordinance is adopted or approved by the local governing body."

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