

SENATE BILL 73

Introduced by Towe, et al.

1/11	Introduced
1/12	Referred to Labor & Employment Relations
1/12	First Reading
1/22	Hearing
2/08	Committee Report--Bill Passed as Amended Motion Failed
2/11	2nd Reading Do Pass as Amended
2/11	2nd Reading Indefinitely Postponed
2/12	Motion Failed To Reconsider Previous Action

Senate BILL NO. 73

INTRODUCED BY *Sen. Blaylock* *Whalen* *Hampton*  
*By* *Bill* *Whitell* *Bob Spitzer* *Wanzon* *Malay* *Spalding*  
A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN EMPLOYER

TO PROVIDE EMPLOYEE MEAL AND REST PERIODS."

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

NEW SECTION. Section 1. Meal and rest periods for

employees. (1) Each employer shall provide at least a half hour lunch period not later than 5 hours after the beginning of the employee's workday.

(2) Each employer shall provide at least a 10-minute rest period every 2 1/2 consecutive hours worked by each employee.

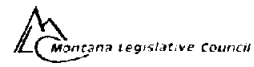
(3) An employer who fails, neglects, or refuses to provide meal or rest periods, as provided in this section, or who permits an overseer, superintendent, or agent to violate the provisions of this section is guilty of a misdemeanor and, upon conviction, is subject to a fine not to exceed \$500 for each offense.

NEW SECTION. Section 2. Codification instruction.

[Section 1] is intended to be codified as an integral part of Title 39, chapter 2, part 2, and the provisions of Title 39, chapter 2, part 2, apply to [section 1].

-End-

INTRODUCED BILL  
SB 73



APPROVED BY COMMITTEE  
ON LABOR & EMPLOYMENT  
RELATIONS

1 SENATE BILL NO. 73  
2 INTRODUCED BY TOWE, BLAYLOCK, WHALEN, HARRINGTON,  
3 HALLIGAN, PIPINICH, RYE, DRISCOLL, WANZENRIED,  
4 DOLEZAL, KILPATRICK

5  
6 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN EMPLOYER  
7 TO PROVIDE EMPLOYEE MEAL AND-REST PERIODS; AND PROVIDING  
8 CERTAIN EXEMPTIONS."  
9

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

11 (Refer to Introduced Bill)

12 Strike everything after the enacting clause and insert:

13 NEW SECTION. Section 1. Meal periods for employees --  
14 penalty -- defense. (1) Each employer shall provide at least  
15 a half hour meal period not later than 5 hours after the  
16 beginning of the employee's workday.

17 (2) An employer who fails, neglects, or refuses to  
18 provide meal periods as provided in this section, after  
19 being requested to provide a meal period by an employee, or  
20 who permits an overseer, superintendent, or agent to violate  
21 the provisions of this section is guilty of a misdemeanor  
22 and, upon conviction, is subject to a fine not to exceed  
23 \$500 for each offense. A true emergency is a complete  
24 defense under this subsection.

25 NEW SECTION. Section 2. Exemptions. (1) [Section 1]

1 does not apply to persons employed in:  
2 (a) agricultural labor as defined in 39-51-205; or  
3 (b) the television or radio broadcast media.  
4 (2) [Section 1] does not apply to an employee who works  
5 in a shift in which the employer has fewer than five  
6 employees.  
7 (3) [Section 1] does not apply to employees covered by  
8 a collective bargaining agreement if the collective  
9 bargaining agreement provides meal periods for employees  
10 covered by the agreement.

11 NEW SECTION. Section 3. Codification instruction.  
12 [Sections 1 and 2] are intended to be codified as an  
13 integral part of Title 39, chapter 2, part 2, and the  
14 provisions of Title 39, chapter 2, part 2, apply to  
15 [sections 1 and 2].

-End-

SECOND READING

