

HOUSE BILL 304

IN THE HOUSE

January 22, 1979

Introduced and referred to
Committee on Human Services.

1 *House* BILL NO. *304*
 2 INTRODUCED BY *Patrick Mayne*

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT SMOKING IN
 5 RESTAURANTS UNLESS SIGNS ARE POSTED THAT DESIGNATE SMOKING
 6 AREAS."

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

9 Section 1. Definitions. Unless the context requires
 10 otherwise, in [this act] the following definitions apply:

11 (1) "Restaurant" means a place which sells food for
 12 consumption on the premises as its primary business.

13 (2) "Smoking in a restaurant" means the possession of
 14 a lighted cigarette, cigarillo, cigar, or pipe.

15 Section 2. Smoking prohibited when smoking area
 16 designated. (1) No person may smoke in a restaurant unless
 17 an area for smoking has been designated and a sign is posted
 18 indicating that the area is a smoking area.

19 (2) Signs designating smoking areas shall be posted in
 20 a manner making them easily seen and read by customers and
 21 visitors.

22 Section 3. Inspection authorized. Agents of the local
 23 health offices shall inspect public places to ascertain the
 24 presence of smoking signs.

25 Section 4. Penalty for violation. The department shall

1 cancel the license of a restaurant for repeated violations
 2 of [this act].

3 Section 5. Codification. It is intended that sections
 4 1 through 4 be codified as an integral part of Title 50,
 5 chapter 50, and the provisions of Title 50, chapter 50,
 6 apply to sections 1 through 4.

-End-

-2- *HB 304*
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