

House Bill 394

In The House

January 21, 1981	Introduced and referred to Committee on Local Government.
February 14, 1981	Committee recommend bill do pass as amended.
February 16, 1981	Bill printed and placed on members' desks.
February 17, 1981	Second reading do pass. Second reading segregated.
February 19, 1981	Second reading do not pass.

1 HOUSE BILL NO. 394
2 INTRODUCED BY Asaf
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 16-1-205, MCA, TO PERMIT A COUNTY GOVERNING BODY TO ADOPT AN
6 ORDINANCE REGULATING, RESTRAINING, OR PROHIBITING THE PUBLIC
7 DISPLAY OR CONSUMPTION OF BEER OR LIQUOR."
8

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

10 Section 1. Section 16-1-205, MCA, is amended to read:

11 "16-1-205. Local option options. (1) The electors of a
12 county may, by approving an initiative as provided under
13 Title 7, chapter 5, part 22, prohibit the sale and
14 consumption of liquor or of all alcoholic beverages within
15 the county. If such initiative is presented to the board of
16 county commissioners, the board may not approve it but shall
17 submit the proposal to the people under Title 7, chapter 5,
18 part 1.

19 ~~(2) If an initiative has not been approved under~~
20 ~~subsection (1), the governing body of a county may adopt an~~
21 ~~ordinance as provided in 7-5-103 through 7-5-108 to~~
22 ~~regulate, restrain, or prohibit the public display or~~
23 ~~consumption of beer and liquor. The county governing body~~
24 ~~may set penalties for violating this ordinance as provided~~
25 ~~in 7-5-109. Nothing in this subsection prohibits the~~

1 ~~governing body from enacting prohibitions against public~~
2 ~~display and consumption of beer and liquor in a portion of~~
3 ~~the county only."~~

-End-

-2- INTRODUCED BILL

HB 394

Approved by Comm.
on Local Government

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 2 INTRODUCED BY ASAY
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 17 submit the proposal to the people under Title 7, chapter 5,
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19 ~~(2) if an initiative has not been approved under~~
 20 ~~subsection (1), the~~ THE governing body of a county may adopt
 21 an ordinance as provided in 7-5-103 through 7-5-108 to
 22 regulate, restrain, or prohibit the public display or
 23 consumption of beer and liquor MAKING IT AN OFFENSE FOR ANY
 24 PERSON TO CONSUME ALCOHOLIC BEVERAGES IN A PUBLIC PLACE OR
 25 POSSESS ALCOHOLIC BEVERAGES IN AN OPEN CONTAINER IN A PUBLIC

1 ~~PLACE. The county governing body may set penalties for~~
 2 ~~violating this ordinance as provided in 7-5-109. Nothing in~~
 3 ~~this subsection prohibits the governing body from enacting~~
 4 ~~prohibitions against public display and consumption of beer~~
 5 ~~and liquor in a portion of the county only. THIS ORDINANCE~~
 6 ~~MAY APPLY TO ALL OR A PART OF A COUNTY NOT WITHIN A~~
 7 ~~MUNICIPALITY."~~

-End-

SECOND READING