

1 **UTAH INDOOR CLEAN AIR ACT**

2 **AMENDMENTS**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Paul Ray**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the local ordinances provision of the Utah Indoor Clean Air Act.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ allows the governing body of a local political subdivision to provide more stringent
13 restrictions on smoking within a political subdivision than those provided by the
14 Utah Indoor Clean Air Act.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **26-38-6**, as enacted by Chapter 281, Laws of Utah 1994

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **26-38-6** is amended to read:

25 **26-38-6. Local ordinances.**

26 (1) This chapter supersedes any ordinance enacted by the governing body of a political
27 subdivision that restricts smoking and that is not essentially identical to the provisions of this



28 chapter[-], except as otherwise provided in Subsection (2).

29 (2) Nothing in this chapter prevents the governing body of a local political subdivision
30 from enacting an ordinance that provides more stringent restrictions on smoking within the
31 political subdivision than those provided in this chapter, conditioned on it being consistent with
32 the provisions of this chapter.

Legislative Review Note
as of 12-3-04 9:29 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0166

Utah Indoor Clean Air Act Amendments

18-Jan-05

9:15 AM

State Impact

While there is no anticipated costs associated with this bill to the Department of Health, local health departments, which enforce the Utah Indoor Clean Air Act, would be required to cover any costs associated with more stringent restrictions approved by

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst