

1 GOVERNANCE OF LOCAL ORDINANCES

2 REGARDING SMOKING

3 2007 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Paul Ray

6 Senate Sponsor: Michael G. Waddoups

8 LONG TITLE

9 General Description:

10 This bill amends the Utah Indoor Clean Air Act.

11 Highlighted Provisions:

12 This bill:

13 ▶ amends the prohibition against political subdivisions adopting ordinances that
14 restrict smoking.

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 in a place of public access as defined in Section 26-38-2 and
28 that is not essentially identical to the provisions of this chapter.

29 (2) This chapter does not supersede an ordinance enacted by the governing body of a

30 political subdivision that restricts smoking in outdoor places of public access which are owned

31 or operated by:

32 (a) a political subdivision as defined in Section 17B-2-101;

33 (b) a state institution of higher education; or

34 (c) a state institution of public education