

26-38-6 Local ordinances.

- (1) This chapter supersedes any ordinance enacted by the governing body of a political subdivision that restricts smoking in a place of public access as defined in Section 26-38-2 and that is not essentially identical to the provisions of this chapter.
- (2) This chapter does not supersede an ordinance enacted by the governing body of a political subdivision that restricts smoking in outdoor places of public access which are owned or operated by:
 - (a) a political subdivision as defined in Section 17B-1-102;
 - (b) a state institution of higher education; or
 - (c) a state institution of public education.

Amended by Chapter 44, 2007 General Session