

29. State Laws and Policies – Montana – as of 2/26/2015

- Descriptions of current or potential laws and policies that significantly impact prevention efforts (medical marijuana, decriminalization of marijuana and other drugs, excise taxes on alcohol and tobacco, precursor drug laws).

Law Addressing Minors in Possession of Alcohol:

MCA – 16-6-305, 45-5-624 – Underage Possession, Underage Consumption, Underage Purchase; False Identification <http://www.leg.mt.gov/bills/mca/45/5/45-5-624.htm>

Currently there is a bill for consideration, SB 242, to change the language to include statewide social host – current draft found at: <http://leg.mt.gov/bills/2015/billpdf/SB0242.pdf>

Laws Targeting Underage Drinking and Driving:

Under MCA 45-5-624 – driver’s license suspension, revocation - BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles – under age 21) is 0.02

Graduated Driver’s Licensing:

MCA – 61-5-131 through 61-5-131 <http://leg.mt.gov/bills/mca/61/5/61-5-131.htm>
Details at: <http://opi.mt.gov/Programs/DriverEd/GDL.html>

Furnishing Alcohol to Minors:

MCA – 16-6-305 <http://leg.mt.gov/bills/mca/16/6/16-6-305.htm>

Responsible Alcohol Sales and Server Training:

MCA – 16-4-1006 <http://leg.mt.gov/bills/mca/16/4/16-4-1006.htm>
MCA – 27-1-710 <http://leg.mt.gov/bills/mca/27/1/27-1-710.htm>
Details at: http://revenue.mt.gov/home/liquor/liquor_education

Providing Alcohol Beverages to Intoxicated Persons Prohibition:

MCA – 16-6-304 <http://leg.mt.gov/bills/mca/16/6/16-6-304.htm>
Current “Good Samaritan” Legislation if intoxicated and seeking medical treatment:
HB 412 - <http://leg.mt.gov/bills/2015/billpdf/HB0412.pdf>

Laws Targeting Prescription Drugs and/or pseudoephedrine sales:

Prescription Drug Registry:

MCA – 37-7-1502 <http://leg.mt.gov/bills/mca/37/7/37-7-1502.htm>

Pseudoephedrine sales - restrictions:

MCA – 50-32-501 <http://leg.mt.gov/bills/mca/50/32/50-32-501.htm>
MCA – 50-32-502 <http://leg.mt.gov/bills/mca/50/32/50-32-502.htm>
Current Legislation - SB 48 <http://leg.mt.gov/bills/2015/billpdf/SB0048.pdf>

Schedule I Drugs - opiates, isomers, etc – added in 2013 any dangerous drug analog

MCA – 50-32-222 <http://leg.mt.gov/bills/mca/50/32/50-32-222.htm>

Laws Targeting Tobacco Products:

E-Cigarettes

Current Legislation – SB 66 – revise laws regarding alternative nicotine or vapor products
<http://leg.mt.gov/bills/2015/billpdf/SB0066.pdf>

Laws Covering Use of Marijuana for Debilitating Medical Conditions:
MCA – 50-46-301 through 50-46-344 http://leg.mt.gov/bills/mca_toc/50_46_3.htm

Current bills failed or tabled:
HB 173 – Prohibit agency rule-making concerning marijuana
<http://leg.mt.gov/bills/2015/billpdf/HB0173.pdf>
HB 456 – Add PTSD to list of debilitating medical conditions:
<http://leg.mt.gov/bills/2015/billpdf/HB0456.pdf>

Laws that include THC Impaired Driving:
MCA – 61-8-722 <http://leg.mt.gov/bills/mca/61/8/61-8-722.htm>