

1 AN ACT relating to adult performances.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 525 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section, "adult performance" means a live sexually explicit*
6 *performance involving acts set forth in KRS 529.010(15), or a live performance*
7 *involving male or female impersonators, who provide entertainment that appeals*
8 *to a prurient interest in sexual conduct, regardless of whether or not performed*
9 *for consideration, which taken as a whole lacks serious literary, artistic, political,*
10 *or scientific value.*

11 *(2) A person is guilty of engaging in an adult performance when he or she engages*
12 *in an adult performance:*

13 *(a) On publicly owned property; or*

14 *(b) In a location where the person knows or should know that the adult*
15 *performance could be viewed by a person under the age of eighteen (18)*
16 *years.*

17 *(3) Engaging in an adult performance is a:*

18 *(a) Class B misdemeanor for the first offense;*

19 *(b) Class A misdemeanor for the second offense; and*

20 *(c) Class D felony for the third and any subsequent offense.*

21 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 231 IS CREATED TO
22 READ AS FOLLOWS:

23 *Any business that knowingly allows or hosts an adult performance as defined under*
24 *Section 1 of this Act at which any person under the age of eighteen (18) years is*
25 *present shall constitute sufficient grounds for:*

26 *(1) Suspension or revocation of a license issued under KRS Chapter 243 by the*
27 *Department of Alcoholic Beverage Control or the local alcoholic beverage control*

- 1 administrator;
- 2 (2) Suspension or revocation of any business license or certificate of occupancy;
- 3 (3) Denial or refusal to renew a business license or certificate of occupancy; or
- 4 (4) Any other action deemed appropriate for the redress of the violation;
- 5 as determined by the issuing or governing authority.