

Stricken language would be deleted from and underlined language would be added to present law.
Act 131 of the Regular Session

State of Arkansas *As Engrossed: S1/23/23 H1/30/23 H2/2/23*
94th General Assembly **A Bill**
Regular Session, 2023

SENATE BILL 43

By: Senators G. Stubblefield, J. Bryant, B. Johnson, K. Hammer, Rice, Flipppo, C. Penzo, Gilmore, Stone, M. McKee, A. Clark, Hester, Dees, D. Sullivan, Caldwell, Hill

By: Representatives Bentley, Barker, C. Cooper, Crawford, Haak, D. Hodges, Ladyman, Long, Lundstrum, McAlindon, R. Scott Richardson, Rose, Rye, Tosh

For An Act To Be Entitled

AN ACT TO ADD CERTAIN RESTRICTIONS TO AN ADULT-ORIENTED PERFORMANCE; TO DEFINE AN ADULT-ORIENTED PERFORMANCE; AND FOR OTHER PURPOSES.

Subtitle

TO ADD CERTAIN RESTRICTIONS TO AN ADULT-ORIENTED PERFORMANCE; AND TO DEFINE AN ADULT-ORIENTED PERFORMANCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 14-1-302, concerning definitions related to adult-oriented businesses, is amended to add additional subdivisions to read as follows:

(26) "Adult-oriented performance" means a performance that is intended to appeal to the prurient interest and that features:

(A) A person who appears in a state of nudity or is seminude;

(B) The purposeful exposure, whether complete or partial, of:

(i) A specific anatomical area; or

(ii) Prosthetic genitalia or breasts; or

(C) A specific sexual activity;

(27) "Minor" means an individual who is less than eighteen (18)



years of age; and

(28) "Public funds" means funds, moneys, receivables, grants, investments, instruments, real or personal property, or other assets, liabilities, equities, revenues, receipts, or disbursements belonging to, held by, or passed through a governmental body.

SECTION 2. Arkansas Code § 14-1-303, concerning the location of adult-oriented businesses, is amended to add an additional subsection to read as follows:

(d) An adult-oriented performance shall not:

(1) Take place on public property;

(2) Admit any minor for attendance; or

(3) Be funded in whole or in part with public funds.

/s/G. Stubblefield

APPROVED: 2/24/23