

1 State of Arkansas As Engrossed: S1/23/23 H1/30/23 H2/2/23

2 94th General Assembly

A Bill

3 Regular Session, 2023

SENATE BILL 43

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

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

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For An Act To Be Entitled

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

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Subtitle

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

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

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

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

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

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

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(i) A specific anatomical area; or

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(ii) Prosthetic genitalia or breasts; or

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(C) A specific sexual activity;

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



1 years of age; and

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

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

10 (d) An adult-oriented performance shall not:

11 (1) Take place on public property;

12 (2) Admit any minor for attendance; or

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

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15 /s/G. Stubblefield

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18 **APPROVED: 2/24/23**

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