

**Hall of the House of Representatives**  
94th General Assembly - Regular Session, 2023  
**Amendment Form**

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**Subtitle of Senate Bill No. 43**

TO CLASSIFY A DRAG PERFORMANCE AS AN ADULT-ORIENTED BUSINESS; AND TO ADD  
ADDITIONAL LOCATION RESTRICTIONS TO AN ADULT-ORIENTED BUSINESS.

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**Amendment No. 2 to Senate Bill 43**

Amend Senate Bill No. 43 as engrossed H1/30/23 (version: 1/30/2023 9:57:46 AM):

Delete the title in its entirety, and substitute the following:  
"AN ACT TO ADD CERTAIN RESTRICTIONS TO AN ADULT-ORIENTED PERFORMANCE; TO  
DEFINE AN ADULT-ORIENTED PERFORMANCE; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

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

AND

Delete everything after the enacting clause, and substitute the following:  
"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."

The Amendment was read \_\_\_\_\_

By: Representative Bentley  
JMB/JMB - 02-01-2023 08:45:27  
JMB222

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Chief Clerk