

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001

# A Bill

HOUSE BILL 2307

4  
5 By: Representative Holt  
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## For An Act To Be Entitled

9 AN ACT TO MAKE IT UNLAWFUL FOR MERCHANTS TO DISPLAY  
10 MERCHANDISE WHICH CONTAINS NUDITY OR GRAPHIC VIOLENCE  
11 OR ALLOW ACCESS TO THAT MERCHANDISE BY PERSONS UNDER  
12 EIGHTEEN YEARS OF AGE; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT TO MAKE IT UNLAWFUL FOR MERCHANTS  
15 TO DISPLAY MERCHANDISE WHICH CONTAINS  
16 NUDITY OR GRAPHIC VIOLENCE OR ALLOW  
17 ACCESS TO THAT MERCHANDISE BY PERSONS  
18 UNDER EIGHTEEN YEARS OF AGE.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. (a) It shall be unlawful for any merchant to knowingly cause  
25 any goods or merchandise containing nudity or graphic violence to be visibly  
26 displayed, or to be accessible to persons under the age of eighteen (18)  
27 years. The visibility of and access to merchandise containing nudity or  
28 graphic violence shall be controlled by locating the merchandise in an area  
29 into which access is controlled and persons under the age of eighteen (18)  
30 years are prevented from entering.

31 (b) Any merchant violating this section shall be guilty of a Class A  
32 misdeemeanor.

33 (c) As used in this section:

34 (1) "Graphic violence" means:

35 (A) The depiction of death or other severe injury in such a  
36 manner which shocks the conscience of the community and exceeds the boundaries

1 of what should be tolerated in a civilized society; or

2 (B) Decapitation, dismemberment, repeated instances of  
3 bloodshed or grotesque cruelty;

4 (2) "Merchant" means any person in the business of selling goods  
5 or merchandise; and

6 (3) "Nudity" means the:

7 (A) Showing of the human male or female genitals, pubic  
8 area, or buttocks with less than a fully opaque covering;

9 (B) Showing of the female breast with less than a fully  
10 opaque covering of any portion thereof below the top of the nipple; or

11 (C) Depiction of covered male genitals in a discernibly  
12 turgid state.

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