

1 AN ACT relating to adult-oriented businesses.

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 sexually explicit*  
6 *performance as defined in KRS 529.010(15) and includes a live performance, or*  
7 *a performance involving male or female impersonators, who provide*  
8 *entertainment that appeals to a prurient interest, regardless of whether or not*  
9 *performed for consideration.*

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

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

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

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

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

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

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

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

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

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

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