

1 AN ACT relating to adult performances and declaring an emergency.

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 live:

6 (a) Sexually explicit performance, as defined in KRS 529.010; or

7 (b) Performance involving male or female impersonators who provide  
8 entertainment, whether or not performed for consideration, that:

9 1. To the average person, applying contemporary community standards,  
10 and taken as a whole, predominantly appeals to prurient interest in  
11 sexual conduct;

12 2. Depicts or describes sexual conduct in a patently offensive way; and

13 3. Taken as a whole, lacks serious literary, artistic, political, or scientific  
14 value.

15 (2) A person is guilty of engaging in an adult performance when he or she engages  
16 in an adult performance:

17 (a) On publicly owned property; or

18 (b) In a location where the person knows or should know that the adult  
19 performance is likely to be viewed by a person under the age of eighteen  
20 (18) years.

21 (3) Engaging in an adult performance is a:

22 (a) Class B misdemeanor for the first offense;

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

24 (c) Class D felony for the third and each subsequent offense.

25 ➔Section 2. Whereas the protection of children is of paramount importance to the  
26 citizens of this Commonwealth, an emergency is declared to exist, and this Act takes  
27 effect upon its passage and approval by the Governor or upon its otherwise becoming a

1 law.