



*Synopsis of House Committee Amendments**

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Legislative Service Commission

Sub. S.B. 16

127th General Assembly
(H. Judiciary)

The House committee made the following amendments to the bill:

Modified the restriction on the hours of operation of a sexually oriented business that holds a liquor permit to allow the business to remain open between midnight and 6:00 a.m. until the time permitted by its permit if it does not have sexually oriented entertainment activity *in which the performers appear nude*.

Eliminated requirements that an employee of a sexually oriented business, while nude or seminude, not appear in view of any patron unless on a stage at least two feet above the floor and at least six feet from patrons and that an employee who regularly appears nude or seminude on the premises remain at least six feet from patrons at all times.

Modified the "no-touch" rule (1) to eliminate the prohibition against an employee, while nude or seminude and on the premises, knowingly touching another person who is nude or seminude in view of a patron, (2) to prohibit an employee *who regularly appears nude or seminude on the premises*, while on the premises and *while nude or seminude*, from knowingly touching a patron or the patron's clothing, (3) to prohibit such an employee, while on the premises and while nude or seminude, from knowingly touching another employee or that employee's clothing or knowingly allowing a patron or another employee to touch the employee or that employee's clothing, and (4) to create an exception that allows touching between an employee and a patron who is a member of the employee's immediate family or another employee who is a member of the employee's immediate family.

Reduced the penalty for a violation of the no-touch rule to a misdemeanor of the fourth degree if the area touched is not a specified anatomical area.

Eliminated several definitions, modified other definitions to refer to "individuals" rather than "persons," modified the definitions of "nude" and "seminude," excluded from

* This synopsis does not address amendments that may have been adopted on the House floor.

the definition of "patron" public employees and volunteer firefighters and EMS personnel while acting within the scope of their duties, clarified and simplified several definitions.

Authorized a municipal corporation to request the Attorney General to provide legal guidance in drafting an ordinance regarding the operation of adult entertainment establishments (antinudity restrictions, limitations on hours of operation, interior configuration requirements, licensing requirements, etc.), similar to existing authority of townships, and required the state to indemnify a township, township trustees, a municipal corporation, and members of a municipal corporation's legislative authority for liability from the enforcement of a resolution or ordinance regulating adult entertainment establishments that was adopted in accordance with guidance provided by the Attorney General.

Eliminated provisions related to the purpose and construction of the bill and the severability of its provisions.

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