



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

Senate: JUD DPA 4-3-0-0 | 3rd Read 16-12-2-0

House: GOV DP 5-4-0-0

SB 1028: adult cabaret performances; prohibited locations

Sponsor: Senator Kern, LD 27

House Engrossed

Overview

Restricts where a person or entity can engage in an adult cabaret performance.

History

An *Adult Cabaret* excludes establishments with a liquor license and includes any nightclub, bar, restaurant or another similar commercial establishment that regularly features:

- 1) Persons who appear in a state of nudity or who are seminude;
- 2) Live performances that are characterized by the exposure of specified anatomical areas or specific sexual activities;
- 3) Films, motion pictures, videocassettes, slides or other photographic reproductions that are characterized by the depiction or description of specific sexual activities or specified anatomical areas ([A.R.S. § 13-1422](#)).

Currently, an adult cabaret cannot remain open at any time between the hours of 1:00 a.m. and 8:00 a.m. Monday through Saturday and between the hours of 1:00 a.m. and 12:00 noon on Sunday ([A.R.S. § 13-1422](#)).

An adult cabaret cannot be located within 1/4 mile of the following:

- 1) A childcare facility;
- 2) A private, public or charter school;
- 3) A public playground;
- 4) A public recreational facility;
- 5) A residence; or
- 6) A place of worship ([A.R.S. § 13-1422](#)).

Provisions

1. Prohibits a person or business from engaging in an adult cabaret performance in either of the following locations:
 - a) Public property; and
 - b) In a location where a person knows the cabaret performance could be viewed by a minor. (Sec. 1)
2. States that counties and municipalities are not prohibited from enacting and enforcing ordinances that regulate the location of adult cabaret performances in a manner that is at least as restrictive as the laws that govern the location and hours of adult cabarets currently in statute. (Sec. 1)
3. Classifies a first violation as a class 1 misdemeanor and a second or subsequent violation as a class 6 felony. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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4. Defines the following:
 - a) *Adult cabaret*;
 - b) *Adult cabaret performance*; and
 - c) *Sexually explicit*. (Sec. 1)