



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

Senate: GOV DPA 5-3-0-0 | 3rd Read 16-12-2-0

House: GOV DP 5-4-0-0

SB 1030: sexually explicit performances; regulation

Sponsor: Senator Kern, LD 27

House Engrossed

Overview

Requires, instead of allows, a board of supervisors (BOS) to adopt specified zoning ordinances relating to adult-oriented businesses, conduct and permits.

History

Currently, a county BOS may adopt zoning ordinances to conserve and promote public health, safety, convenience and general welfare. Additionally, statute outlines zoning guidelines and requirements including the BOS may provide for the regulation and use of:

- 1) Business licenses;
- 2) Adult-oriented business manager permits;
- 3) Adult service provider permits in conjunction with the following:
 - a) Adult-oriented businesses and facilities;
 - b) Adult arcades;
 - c) Adult bookstores or video stores;
 - d) Cabarets;
 - e) Adult live entertainment establishments;
 - f) Adult motion picture theaters;
 - g) Adult theaters;
 - h) Massage establishments; and
 - i) Nude model studios ([A.R.S. § 11-811](#)).

Statute allows a zoning ordinance to include the regulation of the age and conduct of erotic entertainers in a manner at least as restrictive as the laws that govern alcoholic beverages ([A.R.S. § 11-811](#)).

An adult-oriented business may not be located within 1/4 mile of a:

- 1) Child care facility;
- 2) School;
- 3) Public playground;
- 4) Public recreational facility;
- 5) Residence; or
- 6) Place of worship ([A.R.S. § 13-1422](#)).

Provisions

1. Requires, instead of allows, a board of supervisors to adopt zoning ordinances to conserve and promote public health, safety, convenience and general welfare. (Sec. 1)
2. Requires, instead of allows, the zoning ordinance to provide for the regulation and use of business licenses, adult-oriented business manager permits and adult service provider permits in conjunction with the establishment or operation of adult-oriented businesses and facilities, including:

- a) Adult arcades;
 - b) Adult bookstores or video stores;
 - c) Cabarets;
 - d) Adult live entertainment establishments;
 - e) Adult motion picture theaters;
 - f) Adult theaters;
 - g) Massage establishments; and
 - h) Nude model studios. (Sec. 1)
- 3. Adds establishments that conduct sexually explicit performances to the list of establishments that must be regulated by the zoning ordinance. (Sec. 1)
 - 4. Requires, instead of allows, the ordinance to regulate the age and conduct of erotic entertainers to the same level found in alcoholic beverage restrictions. (Sec. 1)
 - 5. Modifies the definition of *Adult Oriented Business* to include establishments that conduct sexually explicit performances. (Sec. 1)
 - 6. Defines the following:
 - a) *Sexually explicit*;
 - b) *Sexual excitement*;
 - c) *Ultimate sexual acts*; and
 - d) *Sexually explicit performance*. (Sec. 1)
 - 7. Makes technical and conforming changes. (Sec. 1,2)

<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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