1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	1st Session of the 59th Legislature (2023)
4	COMMITTEE SUBSTITUTE
5	FOR HOUSE BILL NO. 2186 By: West (Kevin) and <b>McDugle</b> of the House
6	and
7	<b>Bullard</b> of the Senate
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LO	COMMITTEE SUBSTITUTE
L1	An Act relating to crimes and punishments; defining
L2	terms; making certain acts unlawful; providing penalties; providing preemption provision; providing
L3	for codification; and declaring an emergency.
L 4	
L5	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
L 6	SECTION 1. NEW LAW A new section of law to be codified
L7	in the Oklahoma Statutes as Section 1040.57 of Title 21, unless
L 8	there is created a duplication in numbering, reads as follows:
L 9	A. As used in this section:
20	1. "Adult cabaret performance" means a performance in a
21	location, other than an adult cabaret, that features topless
22	dancers, go-go dancers, exotic dancers, strippers, drag performers
23	or similar entertainers, whose performance is harmful to minors,
24	regardless of whether or not the performance is for consideration;

- 2. "Drag performer" means a male or female performer who adopts a flamboyant or parodic feminine or masculine persona with glamorous or exaggerated costumes and makeup;
- 3. "Harmful to minors" shall have the same meaning as such term is defined in paragraph 2 of Section 1040.75 of Title 21 of the Oklahoma Statutes:
- 4. "Minor" means an individual under eighteen (18) years of age; and
- 5. "Story hour" means an event hosted by a drag performer who reads children's books and engages in other learning activities with minor children present.
- B. 1. It shall be unlawful for a person to engage in an adult cabaret performance which is harmful to minors or to organize or authorize the viewing of an adult cabaret performance which is harmful to minors on public property or in a location where the adult cabaret performance could be viewed by a minor.
- 2. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not less than thirty (30) days and not exceeding two (2) years, or by a fine of not less than Five Hundred Dollars (\$500.00) and not exceeding Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment.

- C. 1. It shall be unlawful for a person to organize or authorize on public property a story hour for minors that is hosted by a drag performer whose performance is harmful to minors.
- 2. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in a county jail for a term not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) and not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.
- D. The provisions of this section shall preempt any ordinance, regulation, or restriction that was lawfully adopted or license that was issued by a political subdivision of this state prior to the effective date of this act that is in conflict with the provisions of this section.
- SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated 02/23/2023 - DO PASS, As Amended and Coauthored.

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