

Representative Colin W. Jack proposes the following substitute bill:

EVENT PERMIT NOTIFICATION AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Colin W. Jack

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14	Joseph Elison	Steven J. Lund	



LONG TITLE

General Description:

This bill requires a public entity to provide public notice for a permitted event with an adult theme.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a public entity to provide public notice under certain conditions for a permitted event with an adult theme; and



25 ▶ provides liability presumptions and limitations.

26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 ENACTS:

32 **11-68-101**, Utah Code Annotated 1953

33 **11-68-102**, Utah Code Annotated 1953



35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section **11-68-101** is enacted to read:

37 **CHAPTER 68. PERMITTED EVENT WITH ADULT THEME NOTIFICATION**
38 **REQUIREMENT**

39 **11-68-101. Definitions.**

40 As used in this chapter:

41 (1) "Event permit" means a permit that a public entity issues to the organizer of an
42 event in a public building or on public grounds.

43 (2) "Event with an adult theme" means an event that:

44 (a) contains content that may not be appropriate for children; and

45 (b) takes place in a public building or on public grounds.

46 (3) (a) "Public building" means a building or permanent structure that is:

47 (i) owned, leased, or occupied by a public entity or a subunit of a public entity;

48 (ii) open to public access in whole or in part; and

49 (iii) used for public education or public entity activities.

50 (b) "Public building" does not mean a building or permanent structure that is owned or
51 leased by a public entity or a subunit of a public entity:

52 (i) that is closed to public access; or

53 (ii) when the building is used by a person, in whole or in part, for a private function.

54 (4) (a) "Public grounds" means the area outside of a public building where:

55 (i) members of the public may safely gather; and

56 (ii) a public entity may require an event permit for an event.

57 (b) "Public grounds" may include a sidewalk, street, or park.

58 (5) "Public entity" means the state, a political subdivision, a state college or university,

59 a public school or school district, or other public entity that may issue an event permit for an

60 event in a public building or on public grounds.

61 Section 2. Section **11-68-102** is enacted to read:

62 **11-68-102. Permitted event with adult theme notification requirement.**

63 (1) (a) If a public entity grants an event permit for an event that the public entity
64 determines is an event with an adult theme, the public entity shall provide notice that parental
65 guidance is advised to members of the public who may view or otherwise be exposed to the
66 event with an adult theme.

67 (b) Except as provided in Subsection (1)(c) or (1)(d), the notification described in
68 Subsection (1)(a) shall:

69 (i) be designed to provide a parent or guardian with sufficient notice so that the parent
70 or guardian may choose to prevent the parent's or guardian's child from viewing or otherwise
71 being exposed to the event with an adult theme; and

72 (ii) be posted near all main entrances to the event with an adult theme or otherwise be
73 designed to provide adequate notice to members of the public who may view or otherwise be
74 exposed to the event with an adult theme.

75 (c) For a parade, the notification described in Subsection (1)(a) shall be posted by the
76 public entity on the public entity's website.

77 (d) For a large outdoor event that is not a parade, the notification described in
78 Subsection (1)(a) shall:

79 (i) be posted by the public entity on the public entity's website; or

80 (ii) be physically posted in four conspicuous locations at or near the large outdoor
81 event.

82 (2) In making a determination as to whether an event is an event with an adult theme as
83 described in Subsection (1), the public entity shall require the requestor of the event permit to
84 provide sufficient information regarding the event in order to be able to make a reasonably
85 informed determination.

86 (3) (a) Nothing in this section affects the issuance of an event permit or requires a

87 public entity to grant an event permit to an event with an adult theme.

88 (b) A public entity, or an entity acting at the request or direction of a public entity, is:

89 (i) presumed to have acted in good faith in making the determination described in

90 Subsection (1)(a); and

91 (ii) immune from civil liability for damages for good faith compliance with this

92 section.