

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2186 _____
 _____ Of the printed Bill
 Page _____ Section _____ Lines _____
 _____ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Kevin West _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 FLOOR SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2186

By: West (Kevin) and McDugle of
the House

6 and

7 Bullard of the Senate

8
9 FLOOR SUBSTITUTE

10 An Act relating to crimes and punishments; defining
11 terms; making certain acts unlawful; providing
12 penalties; providing preemption provision; providing
13 for codification; and declaring an emergency.

14
15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1040.57 of Title 21, unless
18 there is created a duplication in numbering, reads as follows:

19 A. As used in this section:

20 1. "Adult performance" means a performance in a location, other
21 than a private adult setting, that features topless dancers, go-go
22 dancers, exotic dancers, strippers, drag performers or similar
23 entertainers, whose performance is harmful to minors, regardless of
24 whether or not the performance is for consideration;

1 2. "Drag performer" means a male or female performer who adopts
2 a flamboyant feminine or masculine persona with glamorous or
3 exaggerated costumes and mannerisms associated with a sex other than
4 the one assigned to the person at birth;

5 3. "Harmful to minors" shall have the same meaning as such term
6 is defined in paragraph 2 of Section 1040.75 of Title 21 of the
7 Oklahoma Statutes;

8 4. "Minor" means an unmarried person under eighteen (18) years
9 of age; and

10 5. "Story hour" means an event hosted by a drag performer who
11 reads children's books and engages in other learning activities with
12 minor children present.

13 B. 1. It shall be unlawful for a person to engage in an adult
14 performance which is harmful to minors or to organize or authorize
15 the viewing of an adult performance which is harmful to minors on
16 public property or in a location where the adult performance could
17 be viewed by a minor.

18 2. Any person who violates the provisions of this subsection
19 shall, upon conviction, be guilty of a felony punishable by
20 imprisonment in the custody of the Department of Corrections for a
21 term of not less than thirty (30) days and not exceeding two (2)
22 years, or by a fine of not less than Five Hundred Dollars (\$500.00)
23 and not exceeding Twenty Thousand Dollars (\$20,000.00), or by both
24 such fine and imprisonment.

1 C. 1. It shall be unlawful for a person to organize or
2 authorize on public property a story hour for minors that is hosted
3 by a drag performer whose performance is harmful to minors.

4 2. Any person who violates the provisions of this subsection
5 shall, upon conviction, be guilty of a misdemeanor punishable by
6 imprisonment in a county jail for a term not exceeding one (1) year,
7 or by a fine of not less than Five Hundred Dollars (\$500.00) and not
8 exceeding One Thousand Dollars (\$1,000.00), or by both such fine and
9 imprisonment.

10 D. The provisions of this section shall preempt any ordinance,
11 regulation, or restriction that was lawfully adopted or license that
12 was issued by a political subdivision of this state prior to the
13 effective date of this act that is in conflict with the provisions
14 of this section.

15 SECTION 2. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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20 59-1-8018 GRS 03/16/23

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