

**BILL SUMMARY**  
1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB1056</b>
<b>Version:</b>	<b>PCS1</b>
<b>Request Number:</b>	<b>8073</b>
<b>Author:</b>	<b>Rep. West, Kevin</b>
<b>Date:</b>	<b>4/14/2023</b>
<b>Impact:</b>	<b>No Negative Impact</b>

**Research Analysis**

The PCS 1 to SB 1056 makes it unlawful for a person to engage in an adult performance which contains obscene material or for any political subdivision to allow, permit, organize, or authorized the viewing of an adult performance which contains obscene material, on public property or in a public place where the adult performance could be viewed by a minor. Violations are a misdemeanor punishable by imprisonment in the county jail for up to 1 year, a fine of not less than \$500 nor more than \$1,000 or both fine and imprisonment. Any person convicted of a second violation is guilty of a felony, punishable by not less than 30 days nor more than 2 years in the prison, a fine of not less than for not less than 30 days nor more than 2 years, a fine of not less than \$500 nor more than \$20,000 or both fine and imprisonment. The measure provides that this section is to preempt any ordinance, regulation, or restriction that was lawfully adopted or license that was issued by a political subdivision prior to the effective date of this act that is in conflict with this section.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The proposed committee substitute for SB 1056 prohibits the performance of obscene material on public property or in a public place that could be viewed by minors. The measure introduces various penalties if the provisions of this measure are violated. These penalties have the potential to increase fine revenue collected as well as a potential increase in incarcerations; however, there is no anticipated negative fiscal impact on the state budget or appropriations.

Prepared By: Jay St Clair, House Fiscal Staff

**Other Considerations**

None.