

4353

2009-2010 Regular Sessions

I N S E N A T E

April 22, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to imposing restriction upon nude entertainment

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The general business law is amended by adding a new section
2 399-i to read as follows:
3 S 399-I. RESTRICTIONS ON NUDITY. 1. FOR PURPOSES OF THIS SECTION, THE
4 TERM "PLACE OF ENTERTAINMENT" SHALL MEAN ANY FACILITY OPEN TO THE PUBLIC
5 WHEREIN PERSONS DANCE OR OTHERWISE PERFORM, AND APPEAR UNCLOTHED.
6 2. NO PLACE OF ENTERTAINMENT SHALL PERMIT (A) ANY PERSON WHO PERFORMS
7 IN SUCH PLACE OF ENTERTAINMENT TO CONDUCT THEMSELVES IN A LEWD OR INDE-
8 CENT MANNER OR TO APPEAR UNCLOTHED IN SUCH A MANNER OR ATTIRE AS TO
9 EXPOSE SUCH PERSON'S GENITALS; OR
10 (B) ANY FEMALE WHO PERFORMS IN SUCH PLACE OF ENTERTAINMENT TO APPEAR
11 IN SUCH MANNER OR ATTIRE AS TO EXPOSE TO VIEW ANY PORTION OF THE BREAST
12 BELOW THE TOP OF THE AREOLA, OR ANY SIMULATION THEREOF. THE PROVISIONS
13 OF THIS PARAGRAPH SHALL NOT APPLY TO ANY FEMALE ENTERTAINER PERFORMING
14 ON A STAGE OR PLATFORM WHICH IS AT LEAST EIGHTEEN INCHES ABOVE THE IMME-
15 DIATE FLOOR LEVEL AND WHICH IS REMOVED AT LEAST SIX FEET FROM THE NEAR-
16 EST PATRON.
17 S 2. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

LBD06566-01-9