S T A T E O F N E W Y O R K

2954

2011-2012 Regular Sessions

I N S E N A T E

February 3, 2011

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:

Section 1. The general business law is amended by adding a new section 399-j to read as follows:

S 399-J. RESTRICTIONS ON NUDITY. 1. FOR PURPOSES OF THIS SECTION, THE TERM "PLACE OF ENTERTAINMENT" SHALL MEAN ANY FACILITY OPEN TO THE PUBLIC WHEREIN PERSONS DANCE OR OTHERWISE PERFORM, AND APPEAR UNCLOTHED.

2. NO PLACE OF ENTERTAINMENT SHALL PERMIT (A) ANY PERSON WHO PERFORMS IN SUCH PLACE OF ENTERTAINMENT TO CONDUCT THEMSELVES IN A LEWD OR INDECENT MANNER OR TO APPEAR UNCLOTHED IN SUCH A MANNER OR ATTIRE AS TO EXPOSE SUCH PERSON'S GENITALS; OR

(B) ANY FEMALE WHO PERFORMS IN SUCH PLACE OF ENTERTAINMENT TO APPEAR IN SUCH MANNER OR ATTIRE AS TO EXPOSE TO VIEW ANY PORTION OF THE BREAST BELOW THE TOP OF THE AREOLA, OR ANY SIMULATION THEREOF. THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY TO ANY FEMALE ENTERTAINER PERFORMING ON A STAGE OR PLATFORM WHICH IS AT LEAST EIGHTEEN INCHES ABOVE THE IMMEDIATE FLOOR LEVEL AND WHICH IS REMOVED AT LEAST SIX FEET FROM THE NEAREST PATRON.

S 2. This act shall take effect immediately.

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

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