



HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2531 (Formerly HF 2334)	House Committee:	PASSED on February 13 (22-0)
Committee:	Public Safety	House Floor:	PASSED on March 7 (94-0)
Floor Manager:	Rep. Vondran	Senate Floor:	PASSED on April 9 (46-0)
Date:	April 10, 2024	Governor:	
Staff:	Amanda Wille (1-5230)		

Cabaret and Nuisance Violations

- Allows an adult cabaret to be charged as a nuisance if they have certain criminal actions on or near the property.
- **Fiscal Note-** cannot be determined

Section by Section Analysis

Section 1 – Adult Cabarets (675.12)

Adult cabaret defined- persons who appear or perform nude or live performances that are distinguished by an emphasis on exposure of a specified anatomical area, or the performance is a simulation of a sexual activity.

A public safety nuisance exists when someone at the adult cabaret commits any of the acts, either on the premises or within 500 feet of the premises:

- Unlawfully fires a gun or uses an offensive weapon.
- Assaults another with a dangerous weapon resulting in injury or death.
- Engages in a riot three or more times in a 12-month period. The participants do not need to be the same people for each instance.

If a county attorney believes a serious threat to public safety exists, they may file a suit in equity seeking to abate the public safety nuisance.

Upon filing the suit, they can seek a temporary injunction that can limit the business hours and prohibit alcohol consumption on the property. Other restrictions may also be ordered.

If the court determines the adult cabaret is a nuisance, they can order remedies including an injunction up to two years, temporary or complete closure, change in business practice or operation, or a bond.

A person convicted of causing, or continuing a public or common nuisance is guilty of an aggravated misdemeanor.

Amendment Analysis

H-8293- Senate

Changes the phrase “adult cabaret” to “adult establishment.”

Strikes entire definition of “adult cabaret” and replaces it with the following definition: “Adult establishment is any business that provides nude or topless dancing or operates any other adult-oriented business.”

Strikes language addressing actions within 500 feet of the property and replaces it with any parking lot or areas, including but not limited to public right of ways, adjacent to the premises.

Clarifies that the county or city attorney where the establishment is located are authorized to act.