



proposed law. Proposed law otherwise retains present law.

Present law provides that, subject to provisions of present law, entertainers whose breasts or buttocks are exposed to view shall perform only upon a stage at least 18 inches above the immediate floor level and removed at least three feet from the nearest patron and shall be 21 years of age or older.

Proposed law deletes the present law reference to "breasts or buttocks" and provides that no permittee can allow any person to appear in a semi-nude condition upon the licensed premises unless the person is 21 years of age or older and, while semi-nude, the person must remain upon a stage at least 18 inches above the immediate floor level and removed at least three feet from the nearest patron. Proposed law defines "semi-nude" as the showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at that point, or the showing of a majority of the male or female buttocks, and includes the lower portion of the female breast, but does not include any portion of the cleavage of the female breast exhibited by a bikini, dress, blouse, shirt, leotard, or similar apparel provided that the areola is not exposed in whole or in part.

Present law provides that no permittee can permit any person to use artificial devices or inanimate objects to depict any of the activities described as prohibited in present law.

Proposed law deletes present law and provides that no permittee can permit any person to appear upon the licensed premises in a state of nudity. Proposed law defines "nudity" as the showing of the male or female genitals, pubic area, vulva, or anus with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any part of the female nipple and areola. Proposed law provides that a "fully opaque covering" cannot be flesh colored, cannot consist of any substance that can be washed off of the skin, including paint or makeup, and cannot simulate the appearance of the anatomical area that it covers.

Present law provides that the following acts or conduct on licensed premises are deemed to constitute lewd, immoral, or improper entertainment as prohibited by present law and therefore no on-sale permit for beverages of high alcoholic content can be held at any premises where such conduct or acts are permitted, including the showing of film, still pictures, electronic reproduction, or other visual reproductions depicting:

- (1) Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law.
- (2) Any person being touched, caressed or fondled on the breast, buttocks, anus, or genitals.
- (3) Scenes wherein a person displays the vulva or the anus or the genitals.
- (4) Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the activities prohibited by present law.

Proposed law deletes present law and adds that proposed law relative to appearing in a semi-nude

condition or in a state of nudity only applies upon a licensed premises that regularly offers live performances or other conduct involving nudity or semi-nudity.

Proposed law provides relative to legislative findings and intent.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends 26:90(D), (E), (F), and (G) and 286(D), (E), (F), and (G); adds R.S. 26:90(L) and 286(K); repeals R.S. 26:90(B)(4) and 286(B)(4))