

By: Middleton

S.B. No. 2281

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting certain adult cabaret performances;
creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 43, Penal Code, is amended
by adding Section 43.28 to read as follows:

Sec. 43.28. CERTAIN OBSCENE ADULT CABARET PERFORMANCES
PROHIBITED. (a) In this section, "obscene adult cabaret
performance" means a visual performance that:

(1) features topless dancers, go-go dancers, exotic
dancers, strippers, or male or female impersonators; and

(2) is obscene.

(b) A person commits an offense if, regardless of whether
compensation for the performance is expected or received, the
person engages in an obscene adult cabaret performance:

(1) on public property; or

(2) in a location where the performance is reasonably
likely to be viewed by a person younger than 18 years of age.

(c) An offense under this section is a Class A misdemeanor,
except that the offense is a state jail felony if it is shown on the
trial of the offense that the person has previously been convicted
of an offense under this section.

SECTION 2. This Act takes effect September 1, 2023.