By: Hughes   S.B. No. 2290

A BILL TO BE ENTITLED

1   AN ACT

2 relating to requiring a venue for sexually oriented performances to

3 provide certain content warnings.

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

5   SECTION 1.   Chapter 17, Business & Commerce Code, is amended

6 by adding Subchapter M to read as follows:

7 SUBCHAPTER M. NOTICE REQUIREMENTS FOR CERTAIN ADULT ORIENTED

8   BUSINESSES

9   Sec. 17.975. DEFINITIONS. In this subchapter:

10   (1) "Sexually oriented performance" means   a visual

11 performance that appeals to the prurient interest by:

12   (A)   featuring a performer who is nude, as defined

13 by Section 102.051, Business & Commerce Code; or

14   (B)   featuring a male performer that exhibits as a

15 female or a female performer that exhibits as a male using clothing,

16 makeup, or other physical markers and signs, lip syncs, dances, or

17 otherwise performs before an audience for entertainment.

18   (2) "Sexually   oriented   performance   venue"   means   a

19 nightclub, bar, restaurant, or other commercial enterprise that

20 provides for an audience of two or more individuals a sexually

21 oriented performance.

22   Sec. 17.976. CONTENT WARNING REQUIRED. A sexually oriented

23 performance venue shall:

24   (1) post in a prominent place by each public entrance a

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1 sign conspicuously warning prospective patrons of the type and

2 content of the scheduled sexually oriented performance, including

3 whether the performance contains sexual content; and

4   (2) include the warning in any advertisement for the

5 performance, including any advertisement that appears on a social

6 media website.

7   Sec. 17.977. DECEPTIVE TRADE PRACTICE. A violation of

8 Section 17.976 is a deceptive trade practice under Subchapter E,

9 Chapter 17, and is actionable under that subchapter.

10   SECTION 2. Not later than January 1, 2024, a sexually

11 oriented performance venue shall comply with Subchapter M, Chapter

12 17, Business & Commerce Code, as amended by this Act.

13   SECTION 3. This Act takes effect September 1, 2023.