STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 2186

By: West (Kevin)

AS INTRODUCED

An Act relating to crimes and punishments; defining terms; making certain acts unlawful; providing penalties; providing preemption provision; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1040.57 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Adult cabaret performance" means a performance in a location, other than an adult cabaret, that features topless dancers, go-go dancers, exotic dancers, strippers, drag queens or similar entertainers, who provide entertainment that appeals to the prurient interest, regardless of whether or not the performance is for consideration;

2. "Drag queen" means a male or female performer who adopts a flamboyant or parodic feminine persona with glamorous or exaggerated costumes and makeup;
3. "Drag queen story hour" means an event hosted by a drag queen who reads children's books and engages in other learning activities with minor children present; and

4. "Minor" means an individual under eighteen (18) years of age.

B. 1. It shall be unlawful for a person to engage in an adult cabaret performance or to organize or authorize the viewing of an adult cabaret performance on public property or in a location where the adult cabaret performance could be viewed by a person who is a minor.

2. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not less than thirty (30) days and not exceeding two (2) years, or by a fine of not less than Five Hundred Dollars ($500.00) and not exceeding Twenty Thousand Dollars ($20,000.00), or by both such fine and imprisonment.

C. 1. It shall be unlawful for a person to organize or authorize the viewing of a drag queen story hour on public property or in a location where the drag queen story hour could be viewed by a person who is a minor.

2. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in a county jail for a term not exceeding one (1) year,
or by a fine of not less than Five Hundred Dollars ($500.00) and not exceeding One Thousand Dollars ($1,000.00), or by both such fine and imprisonment.

D. The provisions of this section shall preempt any ordinance, regulation, or restriction that was lawfully adopted or license that was issued by a political subdivision of this state prior to the effective date of this act that is in conflict with the provisions of this section.

SECTION 2. This act shall become effective November 1, 2023.

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