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## BILL ANALYSIS



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Senate Bill 302 (Substitute S-3 as reported by the Committee of the Whole)  
Sponsor: Senator Rick Jones  
Committee: Judiciary

**CONTENT**

The bill would amend the Michigan Liquor Control Code to prohibit an on-premises licensee from allowing in or on the licensed premises an individual who exposed to public view the pubic region, anus, or genitals or who displayed other types of nudity prohibited by law or local ordinance.

The bill also would prohibit an on-premises licensee from allowing the showing of films, television, slides, or other electronic reproductions that depicted scenes of such nudity. This prohibition would not apply to a publicly broadcast television transmission from a federally licensed station.

The bill would not apply to an exhibition or performance in a theater, concert hall, art center, museum, or similar establishment that was primarily devoted to the arts or theatrical performances.

The bill specifies that its purpose is "to regulate alcoholic beverage traffic within adult-oriented businesses that are licensed to sell alcoholic liquor for consumption on the premises to promote the health, safety, and general welfare of the citizens of this state and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of adult-oriented businesses within this state".

The bill further states that it "is not intended to...impose a limitation or restriction on the content of, or reasonable access to, any communicative materials including adult-oriented materials, to restrict or deny access by adults to adult-oriented materials protected by amendment I of the constitution of the United States, to deny access by the distributors and exhibitors of adult-oriented entertainment to their intended market, or to condone or legitimize the distribution of obscene material".

The bill also includes a legislative finding related to adverse secondary effects and cites cases in which the "United States Supreme Court has recognized that precluding nudity in certain establishments that serve alcoholic beverages can reduce adverse secondary effects".

The bill would take effect 90 days after its enactment.

MCL 436.1916a

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 2-9-15

Fiscal Analyst: Josh Sefton

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