

SENATE BILL REPORT

ESHB 1575

As of March 26, 1997

Title: An act relating to a model ordinance for cities, towns, and counties for the regulation of live adult entertainment establishments.

Brief Description: Regulating live adult entertainment establishments.

Sponsors: House Committee on Law & Justice (originally sponsored by Representatives Sherstad, Koster, Mulliken, Thompson, Ballasiotes, Lambert, Hickel, Sheahan, Reams and Dunn).

Brief History:

Committee Activity: Law & Justice: 3/31/97.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Mychal Schwartz (786-7444)

Background: Presently there are no state statutes specifically regulating adult cabarets and theaters. Adult cabarets and theaters feature entertainment involving nudity or seminudity, or the depiction of sexual acts. Sexually oriented expression is protected under the federal and state constitutions. However, it is not beyond regulation. Regulating without unduly restraining protected expression is permissible when it is aimed at curbing adverse secondary effects.

It has been suggested that the state should enact a model ordinance regulating adult cabarets and theaters. Although not binding on any local jurisdiction, the Legislature's passage of specific findings with regard to the secondary effects caused by these establishments would relieve those local jurisdictions who chose to adopt the model ordinance of the burden of litigating those issues.

Summary of Bill: A model act for the regulation of live adult entertainment establishments is created.

Findings of fact are enumerated relating that adult entertainment establishments require specific supervision due to the secondary adverse impacts that arise from the very nature of the establishments. The findings further state that the intent of the act is not to suppress speech.

Licensing requirements are established for operators, managers, and entertainers. Standards of conduct are enacted for employees and entertainers and standards for the operation of the adult entertainment establishments also are created.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.