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April 22, 2025

ENGROSSED HOUSE
BILL NO. 1217

By: West (Kevin) and Maynard of
the House

and

Bullard of the Senate

An Act relating to obscene material; defining terms; making certain acts unlawful; providing exemption from liability under certain circumstances; providing penalties; providing preemption provisions; providing for codification; and declaring an emergency.

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 1024.6 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Adult performance" means any performance that contains obscene material, if done in view of a minor or in a public place;

2. "Obscene material" shall have the same meaning as such term is defined in subsection B of Section 1024.1 of Title 21 of the Oklahoma Statutes;

1 3. "Minor" means an unmarried person under eighteen (18) years
2 of age; and

3 4. "Public place" means any area or space that the general
4 public may freely access without payment for admission; provided,
5 however, any place that limits access pursuant to an admissions
6 process or that restricts minors from entering the area or space to
7 participate or take part in any event shall be exempt from the
8 provisions of this section.

9 B. 1. It shall be unlawful for a person to engage in an adult
10 performance which contains obscene material, or for any political
11 subdivision of this state to allow, permit, organize, or authorize
12 the viewing of an adult performance which contains obscene material,
13 on public property or in a public place where a minor, as part of
14 the general public, will be exposed to view such adult performance.

15 2. A political subdivision acting in good faith in accordance
16 with the requirements of this subsection shall not be liable for the
17 acts of an individual or group in violation of this subsection.

18 C. Any person who violates the provisions of subsection B of
19 this section shall, upon conviction, be guilty of a misdemeanor
20 punishable by imprisonment in a county jail for a term not exceeding
21 one (1) year, or by a fine of not less than Five Hundred Dollars
22 (\$500.00) and not exceeding One Thousand Dollars (\$1,000.00), or by
23 both such fine and imprisonment.

24

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

6 SECTION 2. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
11 April 22, 2025 - DO PASS
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