

1 **Adult-oriented Performance Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Colin W. Jack**

Senate Sponsor:

---



---

3 **LONG TITLE**

4 **General Description:**

5 This bill creates the criminal offense of adult-oriented performance in a public place or in  
6 the presence of a minor.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ defines terms; and
- 10 ▶ creates the criminal offense of adult-oriented performance in a public place or in the  
11 presence of a minor.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

16 **Utah Code Sections Affected:**

17 ENACTS:

18 **76-10-1206.1**, Utah Code Annotated 1953

---



---

20 *Be it enacted by the Legislature of the state of Utah:*

21 Section 1. Section **76-10-1206.1** is enacted to read:

22 **76-10-1206.1 . Adult-oriented performance in a public place or in the presence of**  
23 **a minor.**

24 (1)(a) As used in this section:

25 (i) "Adult-oriented performance" means a live performance that is harmful to minors.

26 (ii) "Adult-oriented performance" includes, if harmful to minors:

27 (A) the removal of clothing in a sexual manner for the purpose of sexual arousal  
28 of another individual;

29 (B) nudity;

30 (C) the depiction of sexual conduct;

- 31            (D) sexually oriented dancing or dancing involving nudity; or  
32            (E) an act of lewdness, as that offense is described in Section 76-9-702.  
33            (iii) "Public place" means the same as that term is defined in Section 76-9-902.  
34            (b) Terms defined in Sections 76-1-101.5 and 76-10-1201 apply to this section.  
35            (2) Under circumstances not amounting to an offense under Section 76-10-1206, an actor  
36            commits adult-oriented performance in a public place or in the presence of a minor if the  
37            actor:  
38            (a) is 16 years old or older;  
39            (b) knowingly engages in an adult-oriented performance; and  
40            (c) is reckless as to whether:  
41            (i) a minor is present at the adult-oriented performance and able to view the  
42            adult-oriented performance; or  
43            (ii) the adult-oriented performance is:  
44            (A) in a public place where minors are lawfully permitted; or  
45            (B) in a location where the adult-oriented performance could be viewed by a  
46            minor.  
47            (3)(a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is a class A  
48            misdemeanor if the actor is 18 years old or older.  
49            (b) A second or subsequent violation of Subsection (2) is a third degree felony if the  
50            actor is 18 years old or older.  
51            (c) A violation of Subsection (2) is a class B misdemeanor if the actor is 16 years old or  
52            older but younger than 18 years old.  
53            (4) It is an affirmative defense to prosecution under this section if the adult-oriented  
54            performance:  
55            (a) is in an area from which a minor is physically excluded; and  
56            (b) the adult-oriented performance cannot be viewed by the minor from an area in which  
57            the minor is allowed.  
58            (5) A political subdivision may not adopt or enforce an ordinance in conflict with this  
59            section.  
60            **Section 2. Effective Date.**  
61            This bill takes effect on May 7, 2025.