

**SEXUALLY ORIENTED BUSINESS REGULATIONS FOR  
HIGHER EDUCATION**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ken Ivory**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill establishes restrictions on sexual content in higher education.

**Highlighted Provisions:**

This bill:

- ▶ establishes restrictions on a higher education course that includes pornography; and
- ▶ defines terms.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**53B-37-101**, Utah Code Annotated 1953

**53B-37-102**, Utah Code Annotated 1953

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

Section 1. Section **53B-37-101** is enacted to read:

**CHAPTER 37. SEXUAL CONTENT IN HIGHER EDUCATION**

**Part 1. Pornography in Higher Education**



28        **53B-37-101. Definitions.**

29        As used in this chapter:

30        (1) "Institution of higher education" means:

31        (a) an institution of higher education described in Section [53B-2-101](#); and

32        (b) a private institution of higher education within the state.

33        (2) "Pornography course" means a course that is materially based on content that is  
34 pornographic, x-rated, or illicitly indecent as described in Subsections [76-10-1227\(a\)\(i\)](#)  
35 through (iii).

36        Section 2. Section **53B-37-102** is enacted to read:

37        **53B-37-102. Pornography in higher education.**

38        (1) An institution of higher education that offers a pornography course shall:

39        (a) disclose the inclusion of pornographic materials in the course description and the  
40 course syllabus;

41        (b) verify that an individual who enrolls in the course is 18 years old or older; and

42        (c) take measures to ensure that an individual who is not enrolled in the course is not  
43 exposed to the pornographic materials, including keeping doors and windows closed and  
44 covered.

45        (2) An institution of higher education that offers a pornography course may not:

46        (a) require a student to take the course;

47        (b) penalize a student who chooses not to take the course;

48        (c) prevent a student from exiting the room while the course is in session;

49        (d) distribute or allow a student to distribute course material to an individual who is not  
50 enrolled in the course;

51        (e) allow the course to meet between the hours of 10 p.m. and 8 a.m.;

52        (f) hold the course within 1,000 feet of a public park, religious institution, or a school  
53 that primarily caters to minors; or

54        (g) hold the course within 300 feet of a residential boundary.

55        (3) An institution of higher education that offers a pornography course may not receive  
56 or use state funds, whether the institution receives the state funds directly or indirectly,  
57 including a student's scholarship funds.

58        (4) A concurrent enrollment course may not include pornography.

59           (5) Pornography has no serious value in higher education.

60           Section 3. **Effective date.**

61           This bill takes effect on May 1, 2024.