

STATE OF NEW YORK

1174--A

2007-2008 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 3, 2007

Introduced by M. of A. GUNTHER, WALKER -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, the arts and cultural affairs law and the general business law, in relation to certain dancers

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

1- 1 Section 1. Paragraph r of subdivision 2 of section 133 of the labor  
1- 2 law, as amended by chapter 975 of the laws of 1966 and such subdivision  
1- 3 as renumbered by chapter 377 of the laws of 1973, is amended and a new  
1- 4 paragraph s is added to read as follows:

1- 5 r. as a helper on a motor vehicle[.];  
1- 6 s. *as a dancer or performer in any portion of a facility open to the*  
1- 7 *public wherein performers appear and dance or otherwise perform*  
1- 8 *unclothed.*

1- 9 § 2. Subdivision 2 of section 35.07 of the arts and cultural affairs  
1-10 law is renumbered subdivision 3 and a new subdivision 2 is added to read  
1-11 as follows:

1-12 2. *It shall be unlawful for any person to employ, use or exhibit any*  
1-13 *person under eighteen years of age as a dancer or performer in any*  
1-14 *portion of a facility open to the public wherein performers appear and*  
1-15 *dance or otherwise perform unclothed.*

1-16 § 3. The general business law is amended by adding a new section 390-c  
1-17 to read as follows:

1-18 § 390-c. *Prohibit persons under eighteen years of age in certain*  
1-19 *facilities. 1. No person under the age of eighteen years shall be admit-*  
1-20 *ted to any portion of a facility open to the public wherein performers*  
1-21 *appear and dance or otherwise perform unclothed, under circumstances*  
1-22 *where viewing such dancing or performance would be harmful to such*

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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2- 1 *person, in the manner described in subdivision six of section 235.20 of*  
2- 2 *the penal law.*

2- 3 2. *Any operator of a facility described in subdivision one of this*  
2- 4 *section who knowingly violates the provisions of such subdivision shall*  
2- 5 *be subject to a civil penalty of up to five hundred dollars.*

2- 6        § 4. This act shall take effect on the sixtieth day after it shall  
2- 7        have become a law.