SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 716

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DATE	D-PG	OFFICIAL STATUS
01/27/2025	194	Introduction and first reading Referred to Judiciary and Public Safety

A bill for an act

relating to public safety; classifying drag performances as adult entertainment; expanding location restrictions of an adult entertainment establishment; amending Minnesota Statutes 2024, section 617.242, subdivisions 1, 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2024, section 617.242, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of this section:

(1) "adult entertainment establishment" means a business that is open only to adults and that presents:

(i) live performances that are distinguished or characterized by an emphasis on the depiction of sexual conduct or nudity; or

(ii) live drag performances;

(2) "sexual conduct" has the meaning given in section 617.241; ~~and~~

(3) nudity has the meaning given in section 617.292, subdivision 3.~~;~~;

(4) "drag performance" means a performance:

(i) in which one or more performers:

(A) exhibits a gender identity that is different from the performer's gender assigned at birth using clothing, makeup, or other accessories that are traditionally worn by members of and are meant to exaggerate the gender identity of the performer's opposite sex; and

(B) sings, lip-synchs, dances, or otherwise performs before an audience of at least two persons for entertainment, whether performed for payment or not; and

(ii) that is intended to appeal to the prurient interest; and

(5) "minor" has the meaning given in section 617.292, subdivision 2.

Sec. 2. Minnesota Statutes 2024, section 617.242, subdivision 4, is amended to read:

Subd. 4. **Proximity; location.** (a) An adult entertainment establishment may not:

(1) be located on public property;

(2) be located where a minor can view what the adult entertainment establishment is offering to the public that qualifies it as an adult entertainment establishment;

(3) operate in the same building as, or within:

(i) 1,500 feet from, another adult entertainment establishment;

(ii) ~~within~~ 500 feet of residential property, regardless of how the property is zoned; or

(iii) ~~within~~ 2,800 feet of a public or private elementary or secondary school or a church, synagogue, mosque, or other place of worship.

(b) For the purposes of paragraph (a), clause (3), distances are measured between the closest property lines.