

SUBSTITUTE FOR
HOUSE BILL NO. 5132

A bill to amend 1980 PA 299, entitled
"Occupational code,"
(MCL 339.101 to 339.2721) by adding article 17A.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

ARTICLE 17A

1
2 SEC. 1769. (1) AN ADULT ENTERTAINMENT ESTABLISHMENT SHALL
3 NOT EXHIBIT, PROVIDE, OR FURNISH ADULT ENTERTAINMENT TO A PATRON
4 OR CUSTOMER BEFORE 10 A.M., MONDAY THROUGH SATURDAY, OR AFTER
5 2 A.M., TUESDAY THROUGH SUNDAY OR ON A LEGAL HOLIDAY. AN ADULT
6 ENTERTAINMENT ESTABLISHMENT SHALL NOT EXHIBIT, PROVIDE, OR FUR-
7 NISH ADULT ENTERTAINMENT TO A PATRON OR CUSTOMER BETWEEN THE
8 HOURS OF 2 A.M. AND 12 MIDNIGHT ON A SUNDAY OR A LEGAL HOLIDAY.
9 (2) ALL PERSONS ENGAGED BY AN ADULT ENTERTAINMENT
10 ESTABLISHMENT TO PROVIDE LIVE ADULT ENTERTAINMENT OR MASSAGE TO
11 ITS CUSTOMERS OR PATRONS SHALL BE ENGAGED AS EMPLOYEES OF THE

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1 ADULT ENTERTAINMENT ESTABLISHMENT. AN ADULT ENTERTAINMENT
2 ESTABLISHMENT SHALL NOT ENGAGE INDEPENDENT CONTRACTORS TO PROVIDE
3 LIVE ADULT ENTERTAINMENT OR MASSAGE TO ITS CUSTOMERS OR PATRONS.

4 SEC. 1770. (1) AN OWNER, MANAGER, OPERATOR, PROCURER, OR
5 EMPLOYEE OF AN ADULT ENTERTAINMENT ESTABLISHMENT SHALL NOT KNOW-
6 INGLY ADMIT OR ALLOW TO REMAIN ON THE PREMISES OF THE ADULT
7 ENTERTAINMENT ESTABLISHMENT AN INDIVIDUAL UNDER THE AGE OF 18
8 YEARS.

9 (2) IN ADDITION TO ANY PENALTIES ASSESSED UNDER ARTICLE 6, A
10 VIOLATION OF THIS SECTION IS A MISDEMEANOR PUNISHABLE BY A FINE
11 OF \$1,000.00 FOR THE FIRST OFFENSE OR \$5,000.00 FOR A SUBSEQUENT
12 OFFENSE.

13 (3) IT IS AN AFFIRMATIVE DEFENSE TO A PROSECUTION UNDER THIS
14 SECTION THAT THE INDIVIDUAL UNDER THE AGE OF 18 YEARS PRESENTED
15 IDENTIFICATION TO THE ACCUSED IF THE IDENTIFICATION CONTAINS A
16 PHOTOGRAPH OF THE INDIVIDUAL AND CONTAINS OTHER INFORMATION THAT
17 WOULD LEAD A REASONABLE PERSON TO BELIEVE THE INDIVIDUAL WAS 18
18 YEARS OF AGE OR OLDER.

19 Enacting section 1. This amendatory act does not take
20 effect unless all of the following bills of the 90th Legislature
21 are enacted into law:

22 (a) House Bill No. 5124.

23 (b) House Bill No. 5125.

24 (c) House Bill No. 5126.

25 (d) House Bill No. 5127.

26 (e) House Bill No. 5128.

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1 (f) House Bill No. 5129.

2 (g) House Bill No. 5130.

3 (h) House Bill No. 5131.