

STATE OF NEW YORK

224--B

Cal. No. 27

2007-2008 Regular Sessions

IN SENATE

(Prefiled)

January 3, 2007

Introduced by Sens. LARKIN, DeFRANCISCO, GOLDEN, LEIBELL, MALTESE, MORAHAN, RATH, ROBACH, SALAND, TRUNZO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

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

5 r. as a helper on a motor vehicle[-];

6 **s. as a dancer or performer in any portion of a facility open to the**
7 **public wherein performers appear and dance or otherwise perform**
8 **unclothed, under circumstances in which such employment would be harmful**
9 **to such person in the manner defined in subdivision six of section**
10 **235.20 of the penal law.**

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

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

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

LBD00333-04-7

1 employment would be harmful to such person in the manner defined in
2 subdivision six of section 235.20 of the penal law.

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

5 § 390-c. Prohibit persons under eighteen years of age in certain
6 facilities. 1. No person under the age of eighteen years shall be admit-
7 ted to any portion of a facility open to the public wherein performers
8 appear and dance or otherwise perform unclothed, under circumstances
9 where viewing such dancing or performance would be harmful to such
10 person, in the manner described in subdivision six of section 235.20 of
11 the penal law.

12 2. Any operator of a facility described in subdivision one of this
13 section who knowingly violates the provisions of such subdivision shall
14 be subject to a civil penalty of up to five hundred dollars.

15 § 4. This act shall take effect on the sixtieth day after it shall
16 have become a law.