

HOUSE BILL NO. 1387

Introduced by

Representatives Svedjan, Price

1 A BILL for an Act relating to facilities for viewing certain motion pictures or other entertainment.

2 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

3 **SECTION 1. Requirements of facilities for viewing motion pictures.**

4 1. A person may not own, rent, lease, manage, or exercise control of any portion of a
5 commercial building if that portion contains:

6 a. Any partition between subdivisions of a room or area which has an aperture
7 that is designed or constructed to facilitate a sexual act as defined in section
8 12.1-20-02 between individuals on either side of the partition.

9 b. A room, booth, stall, or partitioned portion of a room specifically offered to
10 individuals for a fee, other than pay toilets, or as an incident to performing
11 sexual acts or for the viewing of motion pictures or other forms of
12 entertainment, if access to that enclosed area is through a door, curtain, or
13 portal through which one cannot view the activity taking place within the
14 enclosure, unless the room, booth, stall, or partitioned portion of a room has
15 at least one side open to an adjacent public room so that the area inside is
16 visible to individuals in the adjacent public room.

17 2. In any enclosure described in subsection 1 which has an area for viewing motion
18 pictures or other forms of entertainment, that area must be lighted in a manner that
19 the persons in the area are visible from the adjacent public room. The lighting may
20 not be of an intensity as to prevent the viewing of the motion pictures or other
21 entertainment.

22 3. This section does not apply to:

23 a. Enclosures that are private offices used by the owners, managers, or persons
24 employed on the premises for attending to the tasks of their employment and

- 1 are not held out to the public or members of the establishment for hire or for a
2 fee or for the purpose of viewing motion pictures or other entertainment for a
3 fee.
4 b. Hotels, motels, apartment complexes, condominiums, or rooming houses.