

House Bill 3547

Sponsored by Representative CAMERON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides ballot title for House Joint Resolution 56 (2007).
Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to elections; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) Notwithstanding ORS 250.035, the ballot title for House Joint Resolution 56 (2007) shall be:

AMENDS CONSTITUTION: ALLOWS STATE OR LOCAL GOVERNMENT TO USE ITS REGULATORY POWER TO RESTRICT "STRIP ACTS" (DEFINED)

RESULT OF "YES" VOTE: "Yes" vote limits Oregon Constitution's free expression provision by allowing state, local governments to restrict nude, partially nude performances to extent allowed under federal constitution.

RESULT OF "NO" VOTE: "No" vote retains current state constitutional law, which prohibits governments from imposing restrictions on nude or partially nude performances based on expressive nature of activity.

SUMMARY: Amends Oregon Constitution. Currently, free expression provision of Oregon Constitution prohibits government restrictions on nude and partially nude performances based on expressive nature of activity. The free expression provision of the United States Constitution allows some restrictions on nude and partially nude performances. The measure allows the state or a local government to use its regulatory authority to restrict any strip act to the extent allowed under the United States Constitution. The measure defines "strip act" as a performance in which a person or persons appear or become nude or partially nude before patrons of a club or business, customers of the person or person, or members of the public. The measure allows the state or a local government to establish a more detailed definition. The measure requires good faith and common sense interpretation and implementation, and indicates that measure is intended to allow restrictions for strip acts as many other state and local governments have done, to the extent allowed under the United States

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **Constitution.**

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4 (2) ORS 250.085 does not apply to the ballot title contained in subsection (1) of this sec-
5 tion. The ballot title prepared under this section shall be the ballot title printed in the voters'
6 pamphlet and printed on, or included with, the ballot.

7 **SECTION 2.** This 2007 Act being necessary for the immediate preservation of the public
8 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
9 on its passage.

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