

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 371

Introduced by Murman, 38; Albrecht, 17; Brewer, 43; Clements, 2; Erdman,
47; Halloran, 33; Holdcroft, 36; Kauth, 31; Lippincott, 34.

Read first time January 12, 2023

Committee:

1 A BILL FOR AN ACT relating to crimes and offenses; to prohibit an
2 individual under nineteen years of age or under twenty-one years of
3 age from being present at a drag show as prescribed; to define a
4 term; to provide a penalty; and to prohibit a state agency from
5 using state funds to host a drag show.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section drag show means a
2 performance in which:

3 (a) The main aspect of the performance is a performer which exhibits
4 a gender identity that is different than the performer's gender assigned
5 at birth using clothing, makeup, or other physical markers; and

6 (b) The performer sings, lip syncs, dances, or otherwise performs
7 before an audience for entertainment.

8 (2)(a) No individual under nineteen years of age shall be present at
9 a drag show. Any person nineteen years of age or older who knowingly
10 brings an individual under nineteen years of age to a drag show shall be
11 guilty of a Class I misdemeanor.

12 (b) No individual under twenty-one years of age shall be present at
13 a drag show if alcoholic liquor is being served at such location.

14 (3)(a) Any business, establishment, or nonprofit that hosts a drag
15 show and allows an individual (i) under nineteen years of age in
16 violation of subdivision (2)(a) of this section or (ii) under twenty-one
17 years of age in violation of subdivision (2)(b) of this section to be
18 present at a drag show shall be fined ten thousand dollars for each
19 violation of this section. Any fines collected under this section shall
20 be remitted to the State Treasurer for distribution in accordance with
21 Article VII, section 5, of the Constitution of Nebraska.

22 (b) An officer or owner of a business, establishment, or nonprofit
23 that hosts a drag show and knowingly allows an individual (i) under
24 nineteen years of age in violation of subdivision (2)(a) of this section
25 or (ii) under twenty-one years of age in violation of subdivision (2)(b)
26 of this section to be present at a drag show shall be guilty of a Class I
27 misdemeanor.

28 (4) No state agency that receives state funds shall use such funds
29 to host a drag show.