

2019 -- S 0096

LC000544

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO TAXATION -- ADULT ENTERTAINMENT PERFORMANCE TAX

Introduced By: Senators Crowley, Nesselbush, Quezada, Ciccone, and Lynch Prata

Date Introduced: January 16, 2019

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 44 of the General Laws entitled "TAXATION" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 70

4 ADULT ENTERTAINMENT PERFORMANCE TAX

5 **44-70-1. Short title.**

6 This chapter shall be known and may be cited as the "Adult Entertainment Performance
7 Tax Act".

8 **44-70-2. Definitions.**

9 For the purposes of this chapter:

10 (1) "Administrator" means the tax administrator within the department of revenue.

11 (2) "Adult entertainment business or establishment" means a business or commercial
12 establishment where employees, operators, owners, and individuals work or perform in the nude.

13 (3) "Nude" is defined to mean exposing to the public view the female breast or the female
14 breast with a covering on the areola thereof; exposing to the public view by employing any device
15 or covering which is intended to give the appearance or simulate that area of the female breast at
16 or below the areola thereof; exposing to the public view male or female genitals, pubic area, anus,
17 anal cleavage, or anal cleft; or exposing to the public view by employing any device or covering
18 which is intended to give the appearance of or simulate the genitals, pubic area, anus, anal
19 cleavage, or anal cleft.

1 **44-70-3. Tax imposed for admission.**

2 A two dollar (\$2.00) tax is imposed for each customer upon admission to an adult
3 entertainment business or establishment. This tax is in addition to all other taxes imposed on the
4 business.

5 **44-70-4. Rules.**

6 The tax administrator may adopt rules necessary to enforce this chapter.

7 **44-70-5. Returns.**

8 (a) Every adult entertainment business or establishment shall, on or before the twentieth
9 day of the month following the month that the tax is imposed by admission of customers to the
10 adult entertainment business or establishment, make a return to the administrator.

11 (b) Every adult entertainment business or establishment shall file a return on a form
12 prescribed by the administrator.

13 **44-70-6. Attorney general to disburse funds.**

14 The general treasurer annually shall submit to the attorney general an amount equal to the
15 tax imposed and collected pursuant to this chapter. The attorney general shall disburse the funds
16 the allocation of which shall be in the attorney general's sole discretion for the following limited
17 purposes:

18 (1) To fund operational expenses for the council on human trafficking established by §
19 11-67.1-19;

20 (2) To assist in the funding by expenditure or grant, of entities and/or individuals
21 promoting, participating or conducting programs which assist victims of human child exploitation
22 and human trafficking by providing any of the following services or support:

23 (i) Rape-kit testing;

24 (ii) Physical and/or mental health care services;

25 (iii) Temporary or permanent housing;

26 (iv) Educational or vocational training;

27 (v) Training for public safety personnel; and

28 (vi) Victims compensation.

29 (3) To any state agency, department, organization or entity for the purpose of
30 identification and/or prosecution of human trafficking crimes.

31 SECTION 2. This act shall take effect on July 1, 2019.

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TAXATION -- ADULT ENTERTAINMENT PERFORMANCE TAX

1 This act would impose a two dollar (\$2.00) tax for admission to adult entertainment
2 businesses. The tax revenues would be transferred to the attorney general for expenditure to
3 organizations and individuals combating or addressing the issue of human trafficking.

4 This act would take effect on July 1, 2019.

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