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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO HEALTH AND SAFETY -- RETAIL LICENSES -- ADULT SEX VENUES

Introduced By: Senators Bell, Ciccone, Mack, Burke, and E Morgan

Date Introduced: February 26, 2025

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Purpose and intent.

2           (1) The intent of this act is to require licensure of establishments currently operating  
3 without a license.

4           (2) This act is not intended to legalize any form of business currently illegal.

5           SECTION 2. Chapter 3-7 of the General Laws entitled "Retail Licenses" is hereby amended  
6 by adding thereto the following section:

7           **3-7-16.11. Class S license.**

8           (a) Any adult sex venue as defined in § 23-104-1 that allows, authorizes, or permits  
9 customers, clients, patrons, employees, or members to bring alcoholic beverages onto the premises  
10 or consume alcoholic beverages on the premises shall be required to obtain a class S license, unless  
11 the adult sex venue holds a Class B license pursuant to § 3-7-7 or a Class N nightclub license  
12 pursuant to § 3-7-16.6 and does not permit customers, clients, patrons, or members to bring outside  
13 alcoholic beverages onto the premises.

14           (b) A local licensing authority may issue a Class S license that shall allow the license holder  
15 to permit patrons to bring their own alcohol to be consumed on the property and served only by  
16 staff members of the business. A Class S license shall be understood as a limited, nonretail license.  
17 As such, a Class S license does not confer the right to retail sales, and a Class S license is bound to  
18 all limitations and regulations as set forth therein and otherwise contained within title 3. A Class S  
19 license holder shall comply with all the requirements set forth by the department of business

1 regulation.

2 (c) The annual license fee for a Class S license shall be one hundred dollars (\$100) to two

3 thousand dollars (\$2,000).

4 (d) Class S license holders may be open for business from twelve o'clock (12:00) p.m. to

5 two o'clock (2:00) a.m. provided no beverage is sold or served after one o'clock (1:00) a.m.

6 (e) Class S license holders are not permitted to hold dances within the licensed premises,

7 unless proper permits have been properly obtained from the local licensing authorities.

8 (f) Class S license holders are subject to restrictions on entertainment pursuant to § 3-7-

9 7.3.

10 (g) A Class S license shall not, in and of itself, subject the license holder to the provisions

11 of § 3-7-27 relating to insurance.

12 (h) Before approving or renewing a Class S license, the local licensing authority may cause

13 an examination or examinations to be made of the premises of the applicant.

14 (i) The department of business regulation shall promulgate rules and regulations to

15 implement the provisions of this section.

16 SECTION 3. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby

17 amended by adding thereto the following chapter:

18 CHAPTER 104

19 ADULT SEX VENUES

20 **23-104-1. Definitions.**

21 As used in this chapter:

22 (1) "Adult sex venue" means any commercial establishment that is operated in a manner

23 that encourages patrons to engage in, or to watch others engaging in, sexual activities on the

24 premises, or that, as a regular part of its operations, permits patrons to engage in sexual activities

25 on the premises or to watch others doing so. The following uses shall not constitute an adult sex

26 venue: a residential unit, as defined in § 42-63.1-2; a use subject to the hotel tax pursuant to § 44-

27 18-36.1, or exempt due to being rented in its entirety; a medical facility licensed by the department

28 of health; and other exempt uses that the director may establish through regulation. An exempt use

29 of the property shall not exempt other uses of the property from classification as an adult sex venue.

30 (2) "As a regular part of its operations" means a common occurrence or in any way a part

31 of the business model.

32 (3) "Commercial establishment" means a place to which persons are admitted to the

33 premises or any portion of the premises upon payment of a fee or charge, whether the fee or charge

34 is made at the time of admission or before or after, such as through fees or charges for membership.

1 food, drink, or any other product, service, or activity. A commercial establishment need not  
2 function at all times as such, but rather may be a place that does not ordinarily function as a business  
3 or does not ordinarily require payment of a fee or charge for admission to the premises or any  
4 portion of the premises.

5 (4) “DBR” means the department of business regulation.

6 (5) “Department” means the department of health.

7 (6) “Director” means the director of the department of health, or the director’s designee.

8 (7) “Genitals” shall mean the penis, vulva, or anus of any person or the nipples of a person  
9 who identifies as female.

10 (8) “Sexual activity” means the following acts: sexual intercourse, including anal  
11 intercourse; oral sex; intentional touching of another person’s genitals if it can reasonably be  
12 construed as intended to be for the purpose of sexual arousal; or intentional display of genitals for  
13 others to view if it can reasonably be construed as intended to be for the purpose of sexual arousal.

14 **23-104-2. Standards.**

15 (a) By no later than January 1, 2026, the department of health ("department") shall adopt  
16 standards for adult sex venues.

17 (b) The standards shall include:

18 (1) Sanitation standards;

19 (2) Requirements to display signage informing patrons of the department's RightTime: RI's  
20 Sex Health App and the department’s 1-2-3 testing program for sexually transmitted infections;

21 (3) Prohibitions on access to the premises by minors or persons visibly intoxicated;

22 (4) Protocols to minimize the spread of sexually transmitted infections, including, but not  
23 limited to, requirements to make available to patrons free of charge condoms, lubricant, and other  
24 items that prevent against the spread of sexually transmitted infections, as specified by the director,  
25 if the sexual activities permitted on the premises include sexual intercourse;

26 (5) Protocols to ensure that all sexual activity conducted on the premises be consensual;

27 (6) Protocols to reduce the risk of human trafficking; and

28 (7) Such other requirements, protocols, standards, and/or prohibitions as the director  
29 determines are necessary and appropriate.

30 (c) The department shall promulgate rules and regulations to implement the provisions of  
31 this section, including penalties for violations.

32 **23-104-3. License -- Violations -- Penalties.**

33 (a) No adult sex venue shall be permitted to operate without a license issued by the local  
34 licensing authority of the municipality. Licenses may only be issued if the applicant has provided

1 evidence satisfactory to the local licensing authority that the applicant shall comply with all  
2 provisions of this chapter, all applicable municipal ordinances, and rules and regulations  
3 promulgated by the department pursuant to the provisions of § 23-104-2.

4 (b) The annual adult sex venue license fee shall be one hundred dollars (\$100) to two  
5 thousand dollars (\$2,000).

6 (c) Adult sex venues may only be open for business from eight o'clock (8:00) a.m. to two  
7 o'clock (2:00) a.m. Municipalities may, by ordinance, further limit the hours of operation.

8 (d) Adult sex venues are subject to restrictions on entertainment pursuant to § 3-7-7.3.

9 (e) A local licensing authority may require that a business show cause as to why it should  
10 not be required to be licensed as an adult sex venue. Should the local licensing authority determine  
11 that the business is subject to licensure at a show cause hearing, the local licensing authority shall  
12 order the closure of the business. Such closure order may be immediate, or the local licensing  
13 authority may permit the partial or full continued operation of the business for a period of up to  
14 seven (7) days to allow the business an opportunity to file an application for a license in compliance  
15 with the provisions of this chapter and any applicable municipal ordinances.

16 (f) Any adult sex venue operating in violation of this provisions of this chapter or any  
17 applicable municipal ordinances shall be subject to enforcement action by the local licensing  
18 authority. The local licensing authority may revoke and/or suspend the license and may order a full  
19 or partial closure. Following a suspension, revocation, or closure, including a partial closure, a  
20 license holder may file an appeal to DBR pursuant to the provisions of § 3-7-21.

21 (g) Any stay of the suspension, revocation, or closure order by DBR shall be limited to a  
22 maximum of sixty (60) days. If the appeal is not finalized within the sixty (60) day period, then the  
23 stay shall be lifted, and the suspension, revocation, or closure shall immediately be imposed.

24 (h) In addition to suspension, revocation, or closure, the local licensing authority shall also  
25 be empowered to levy fines, as well as any penalties that may be levied against the holder of any  
26 license issued pursuant to chapter § 3-7.

27 **23-104-4. No right to license.**

28 (a) No facility or business shall have a right to issuance of a license to engage in the  
29 operation of an adult sex venue. Issuance of a license for the operation of an adult sex venue shall  
30 be at the discretion of the local licensing authority.

31 (b) Municipalities are authorized to prohibit the operation of adult sex venues within the  
32 municipality's jurisdiction.

33 **23-104-5. No abrogation of existing laws.**

34 Nothing in this chapter shall be construed as abrogating or affecting the provisions of

1 [chapter 37 of title 11 \(sexual assault\) or the enforcement or prosecution for the violation of any](#)  
2 [general or special law, ordinance, rule, or regulation.](#)

3 SECTION 4. Section 11-67.1-20 of the General Laws in Chapter 11-67.1 entitled "Uniform  
4 Act on Prevention of and Remedies for Human Trafficking" is hereby amended to read as follows:

5 **11-67.1-20. Display of public-awareness sign — Penalty for failure to display.**

6 (a) Any public or quasi-public transportation agency shall display a public-awareness sign  
7 that contains the state and national human trafficking resource center hotline information in every  
8 transportation station, rest area, and welcome center in the state that is open to the public.

9 (b) An employer shall display the public-awareness sign described in subsection (a) of this  
10 section in a place that is clearly conspicuous and visible to employees and the public at each of the  
11 following locations in this state at which the employer has employees:

12 (1) A strip club, [adult sex venue as defined in § 23-104-1](#), or other sexually-oriented  
13 business;

14 (2) A business entity previously found to be a nuisance for prostitution;

15 (3) A job-recruitment center;

16 (4) A hospital; or

17 (5) An emergency-care provider.

18 [\(c\) The public awareness sign shall be from a menu of options designed by the council on](#)  
19 [human trafficking, unless the council on human trafficking has yet to design a public awareness](#)  
20 [sign, in which case the employer, transportation station, rest area, or welcome center shall design](#)  
21 [the sign.](#)

22 ~~(e)~~(d) The department of labor and training shall impose a fine of three hundred dollars  
23 (\$300) per violation on an employer that knowingly fails to comply with subsection (b) of this  
24 section. The fine shall be the exclusive remedy for failure to comply.

25 SECTION 5. This act shall take effect on January 1, 2026.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO HEALTH AND SAFETY -- RETAIL LICENSES -- ADULT SEX VENUES

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- 1
- This act would prohibit adult sex venues from operating unless they obtain a license from
- 2
- the local licensing authority and submit to health and safety regulation by the department of health.
- 3
- This act would also establish a new liquor license for adult sex venues that permit patrons to bring
- 4
- alcoholic beverages onto the premises.
- 5
- This act would take effect on January 1, 2026.

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