



*Equal
Entertainment
Group*

March 10, 2021
Testimony opposing HB 2403
House Federal & State Affairs

Mr. Chairman, and Members of the Committee,

I am Philip Bradley representing the Equal Entertainment Group. I also have the permission of the Kansas Licensed Beverage Assn. and both groups support the defeat of HB 2403. Thank you for the opportunity to speak today.

We **oppose HB 2403** and ask you to not advance or support this act. This measure addresses many issues that appear simple on the surface but are very complex, attempting to further *expand state government regulations where local governments have already taken action*. While one may or may not agree with current law and the courts interpretations of that law, those elements together have attempted to find a balance; the very important and critical balance. One between the individual rights, personal responsibilities and the individual freedoms citizens are guaranteed and the duties of the government to protect its citizens. Our country is founded on the principles and beliefs that although certain practices and beliefs may not be shared by all and even be disapproved by some, they are worthy of protecting in the greater cause of our rights and freedoms. And founded in the belief that local control is preferred to state or national regulation. Seemingly helpful actions will have dangerous unintentional consequences.

These subjects are difficult to discuss objectively, and especially difficult to discuss in a forum such as this. They may be embarrassing to some. They need a thoughtful considered, deliberation before altering the status quo. This measure covers several areas including; retail establishments (aka adult book stores and/or adult video arcades) and secondly restaurants, clubs and bars that also are entertainment venues. If this bill advances, these should be split into separate measures and considered individually. They operate significantly different with differing licensing requirements or none at all. ***Before advancing we first ask that this measure covering two different subjects be divided into two separate bills and let each be debated and stand on their own merits.***

HB 2403 proposes serious issues and needs serious consideration. My testimony won't be covering the legal arguments that others have already addressed for the **many years** that the legislature has considered and **wisely chosen not to enact this extreme measure**. My members are primarily concerned with the businesses defined in Hb 2403 in page 2 Line 16-19, "(c) "Adult cabaret" means a nightclub, bar, juice bar, restaurant, bottle club or other commercial establishment, regardless of whether alcoholic beverages are served, which regularly features persons who appear semi-nude" and we generally limit ourselves to those places serving/selling beverage alcohol. Those should be in a separate bill.

The opening paragraphs allege that this is the "community defense act", though what it seeks to do is seize the control from the communities and overrule community actions. The justification is contentions of "secondary effects" that are supported by studies of out of state urban areas and give no evidence that any of these claimed effects are prevalent, are a problem, have or are occurring in Kansas. This bill has been offered for years and yet there is no Kansas substantiated evidence. Recent events are just proving that local control is working and is best.

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We urge the defeat of this measure as a whole. We at the very least, object to the banning of alcohol in **new section 4g** and hours of operation, requiring the changing of floor plans, interior rebuilds, installation of cameras/spying devices, hiring of additional personnel, and new additional operation procedures. We object that all of these new requirements be completed within 180 days. We also feel that the word “habitual“, is open to subjective and varied interpretations.

We urge you to not advance this bill. However if the committee wishes to pursue this wide reaching and comprehensive act, we ask that this bill be separated into two stand alone measures and suggest that a sub-committee be appointed and we offer to work with such a group.

Specifically we ask you to not advance and defeat this bill.

If, however, you chose to work it we ask;

- *The bill be split between the licensed establishments and all others(bookstores, theaters, retail venues, etc) and each considered on its own merits*
- *That the effective date be extended to Jan 1, 2016*
- *That the ban on alcohol be removed*
- *That the excessive regulations on internal operations in entertainment clubs be removed*
- *That the extraordinary hours restrictions be removed*

Thank you for your time.

The difficulty in life is the choice
. The Bending of the Bough, Act V

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