



Office of District Attorney General Coty Wamp

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In light of recent inquiries regarding legislative changes to T.C.A 7-51-1401, the District Attorney has released the following statement:

“This piece of legislation is not as complex as some are making it. First, the law specifically states that it is an offense for a “person” to engage in the listed conduct. Therefore, inquiries as to whether businesses or venues can be prosecuted is not applicable per the legislation itself. The State of Tennessee through District Attorneys General pursues prosecution against persons, not entities. Further, the legislature specifically included the language “appeals to a prurient interest” after “male and female impersonators who provide entertainment” in order to shield individuals who may be acting or playing a role in a performance that has no sexual connotation. What it boils down to is very simple, except for on public property, adults can engage in any of the listed behavior. The legislature has decided that *children* should not be present at strip clubs, locations where there are active go-go dancers and exotic dancers, or locations where there are active drag shows.

Pursuant to this legislation, if a stripper were to perform in front of a child, the stripper could be prosecuted for an A misdemeanor offense. If a drag queen performs in front of a child, the drag queen could be prosecuted for an A misdemeanor offense. Again, it’s not that complicated. The rumors that the Tennessee legislature has “banned drag shows” are simply false and misleading.

These cases will be handled by my office in the same way all other cases are handled. Officers may use discretion. My office will use discretion. We will consider the law and the facts and we will work to reach a just and fair outcome if and when these situations arise. My hope is that the listed performers will continue to express themselves and perform in front of any adult audience that they so choose.

I will never issue a blanket statement that I will refuse to comply with a Tennessee criminal statute. That is contrary to the oath that I took. I will continue to justly and fairly enforce the laws of the State.”

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