

Chairman Schuring, Vice Chairman Rulli, Ranking Member O'Brien and members of the Committee, thank you for allowing the opportunity for this hearing on Senator Tim Schaffer's SB 187, a measure to prevent the exploitation of children.

I am Barry Sheets, legislative consultant for Citizens for Community Values, an Ohio-based non-profit Family Policy Council. We are happy to offer our support for Senate Bill 187.

Senator Schaffer has explained in his sponsor testimony the situation which occurred in his district that prompted the introduction of this measure: a contracted, scheduled and executed performance by a minor in a liquor permit establishment. This establishment exercised incredibly poor judgment in contracting with "entertainment" that featured a minor of tender years appearing in a location where alcohol is being offered. Obviously Ohio's current laws will benefit from the bill's clarification that this is never allowable for a liquor permit premises.

The bill does not limit free expression; instead, it recognizes that there are appropriate times, places and manners of expression, and a minor in a liquor permit premises late at night performing for money is never an appropriate time, place or manner. The bill also fine-tunes the obscenity statutes regarding performances by minors; it recognizes that not only is it inappropriate for a minor to engage in expression that is sexual in nature, it is also inappropriate (and therefore prohibited by the bill) for a minor to perform in a manner that appeals to the prurient interests of the observers, whether the intent of the performer is such or not. As the example Senator

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Schaffer shared indicates, patrons were indeed attempting to engage with the minor, which is another reason this bill is necessary.

Additionally, the Federal Child Labor laws also should be taken into consideration, which state the following:

Prohibited Occupations for all Minors in Entertainment

An act that constitutes sexual abuse or sexual exploitation of minors. (Child Labor Act, § 5(b)(4)(i))

Prohibited Occupations for all Minors

IN ESTABLISHMENTS WHERE ALCOHOLIC BEVERAGES ARE PRODUCED, SOLD OR DISPENSED: Except in part of establishment where alcohol is not served, or hotels, clubs, or restaurants where alcohol is served and the establishment has a Sunday sales license issued by the Liquor Control Board, and minor is serving food, clearing tables and/or related duties, but minor may not serve or dispense alcohol. Performing arts students engaged in uncompensated exhibitions may perform at a licensed establishment, under proper supervision in accordance with the Liquor Code. (Child Labor Act, §4(a)(1))

Minors Under 16 are also Prohibited from Working:

IN ESTABLISHMENTS WHERE ALCOHOLIC BEVERAGES ARE PRODUCED, SOLD OR DISPENSED: Except for continuing-care retirement homes, ski resorts, bowling alleys, golf courses, amusement parks and other similar recreational establishments where alcoholic beverages are served as long as the minor is not handling or serving alcohol, and not working in an area where alcohol is served or stored. Performing Arts students engaged in uncompensated exhibitions may perform at a licensed establishment, under proper supervision in accordance with the Liquor Code. (Child Labor Act, §4(a)(1))

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In these situations, the minor is not a "Performing Arts Student" nor were these situations an "uncompensated exhibition" with "proper supervision". Senate Bill 187 will clarify that Ohio is serious about protecting children from exploitation, and clarify for our many liquor establishment premises that minors should not be engaged, whether individually or as part of a group, to perform in their establishments.

Thank you for your kind attention to this testimony. We look forward to the committee moving this bill for consideration for the full Senate in the near future. I would be happy to take any questions of the committee.

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