

41ST HOUSE DISTRICT

LUCAS COUNTY

Committees

Vice Chair Criminal Justice,
Higher Education, Primary and
Secondary Education, Economic
and Workforce Development



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**State Representative Joshua E. Williams
Ohio House of Representatives**

Chairman Abrams, Ranking Member Miller, and members of the House Criminal Justice Committee, thank you for the opportunity to offer sponsor testimony on House Bill 245.

The purpose of this bill is to update the weak and outdated obscenity laws in our state. Last updated in 2004, these laws were targeted at individuals who produced, published, advertised, and exhibited obscene content and performances to juveniles. While these activities were rightly criminalized, the criminal code does not address an increasingly common form of obscenity: those who willfully engage in an obscene *performance* in front of a child. HB 245 seeks to close the gap in our obscenity laws and relegate performances considered obscene or “harmful to children” to adult-only establishments known as “adult cabarets”.

When I began my research on this topic, I was astonished to discover that there is no requirement in the law that limits obscene performances to adult-only establishments. Restricting performances considered obscene and harmful for children to adult cabarets, where the proprietor has a legal obligation to prevent minors from entering, is a simple and effective way of preserving the free speech rights of the performers while also protecting minors from exposure to obscene conduct.

Increasingly, we have seen examples of children spectating and even participating in overtly sexualized performances. This state, both through law and established precedent, has always protected the rights of children to be free from the exposure to obscene acts by adults. Now, with the incidences of such public

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performances increasing, it is incumbent upon us to update our obscenity law to reflect our continued
commitment to this idea.