

## **Opponent Witness Testimony: H.B. 249**

**To:** The House Criminal Justice Committee

**From:** Kyle Williams, Independent LGBTQIA+ Journalist & Advocate

**Subject:** Formal Opposition to the Indecent Exposure Modernization Act

Chair, Vice Chair, and members of the Committee, my name is **Kyle Williams**. I stand before you as an independent journalist, a social media influencer, and a man who has lived out and proud in this city since 2015.

For the last ten years, my lens has been focused on the grit and resilience of the LGBTQIA+ community. I have documented the powerhouse athletes at the Arnold Sports Fest and the local business owners who make Columbus a destination. I am not here today to speak in abstracts. I am here to present the text of **H.B. 249** as direct evidence of a coordinated strike against the First Amendment and the personal safety of my community.

### **Evidence Exhibit A: The Targeted Erasure**

I direct your attention to **Page 7, Lines 185-189**. This is where the bill defines an "Adult cabaret performance." It explicitly targets entertainers who exhibit a gender identity different from their "biological sex."

Now, look at the definition of "biological sex" on **Page 7, Lines 195-199**. The state is attempting to legally codify a refusal to recognize transgender and non-binary people by demanding we ignore an individual's "psychological, chosen, or subjective experience of gender." As a journalist, I see this for what it is: **clinical erasure**. By tethering "adult" or "harmful" content to the mere presence of a trans person on a stage, you are declaring that their identity is a crime. You are telling every queen who hosts a charity event that their art is "obscene" simply because of who they are.

### **Evidence Exhibit B: The "Ordinary Observer" Trap**

On **Pages 2 and 3**, the bill introduces the **"Ordinary Observer" standard**. Section (B)(3) criminalizes conduct that to an "ordinary observer" would appear to be sexual.

Who is this "ordinary" person? In my reporting, I have seen how bias works. This language gives any person who is uncomfortable with queer visibility the power to call for an arrest. It turns personal prejudice into a police report. It means that any LGBTQIA+ person performing at **Kemba Live!** or a local nightclub is only one "ordinary observer's" discomfort away from a misdemeanor or a felony. This isn't law; it's a blank check for harassment.

### **Evidence Exhibit C: The Destruction of Reputation**

The penalties on **Pages 3 and 4** are designed to destroy lives. Section (D) on **Page 4** grants the court authority to classify performers as **Tier I sex offenders**.

To label a drag performer or a trans artist alongside violent child-victim offenders is a disgusting overreach of state power. This is a "chilling effect" aimed at scaring us back into the closets of the past. It threatens our housing, our careers, and our families. It is the ultimate social stigma, weaponized to silence a community you have deemed "non-ordinary."

### **Evidence Exhibit D: Economic Sabotage**

Finally, look at **Page 13**. This bill targets the economic heart of our safety. By amending section **4301.25**, you are giving the liquor control commission the power to revoke permits for any venue hosting these performances.

Our gay bars and nightclubs are our only safe havens. By threatening their licenses, you are forcing business owners—our allies—to choose between their livelihoods and their community. This is a move to bankrupt Central Ohio and include Ohio infrastructure.

### **Conclusion: The Grip of Resilience**

In my work, I talk about "The Grip of Grit." My community has survived marginalization before, and we have the grit to endure this. But you have a choice. You can be the committee that protects the First Amendment and the diversity of Ohio, or you can be the architects of a legal "s\*\*\* storm" that will be documented for years to come.

As an independent journalist, I will make sure the world sees how you vote on our right to exist. Inclusion means being in the room. We are in the room. **Vote NO on H.B. 249.**

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