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House Judiciary Committee  
1 Capitol Square  
Columbus, Ohio 43215  
Thomas@ohiosenate.gov

March 13, 2026

RE: HB249 - *oppositional testimony*

Dear Chair Thomas, Vice Chair Swearingen, Ranking Member Synenberg, and fellow respected Committee Members:

My name is Dara Adkison, I'm the Executive Director of TransOhio. I am here on behalf of TransOhio—Ohio's oldest statewide trans-led equity organization, dedicated to protecting and advancing the rights of trans, nonbinary, intersex, and gender nonconforming people in Ohio.

We serve thousands of people every year and know firsthand how much harm a law like this will do—not just to the minority community it intends to target, but to all of the vast communities in Ohio that trans people are a part of. We do not exist in a vacuum hidden away from society; laws intended to harm us end up harming many. By equating performing in drag, or simply existing in public as a trans person, with obscenity, HB249 perpetuates hateful stereotypes, endangering the safety and well-being of numerous people not being considered by this legislation.

What counts as a performance? And how is the definition of what is obscene being determined? Could this broad overreach of the obscenity statutes be used to target trans people just living our lives? Yes. Cis people who don't dress according to perceived gender norms? Yes. Drag performers dressed modestly? Also, yes. People that don't meet expected beauty standards? Culturally? Opinions of individual law enforcement officers? Yes. The truth is that the authors of this bill have not yet considered the broad sweepingly vague ways in which HB249 could be applied.

If I bring up here a NFL cheerleader next to a fully-clothed drag queen and a cis-passing trans individual, only one of these is not intended to be considered obscene by HB249 standard, but when you see them together the differences are inherently vague. HB249 would create a vast subjective gray area of potential First Amendment violations, opening the state to countless litigation. This is a bill about subjectively judging the appearance of others, and if you think this bill couldn't be used to cause harm to someone you know, someone in your district, then you are sorely mistaken and/or deluding yourself.

I don't delude myself to think it's possible to persuade every member of the legislature to care about trans people, or even see trans people as fellow humans deserving of rights. But what I can show this committee and this legislature is bills targeting us can target so many, and for that reason shouldn't be taken lightly.

This is not about protecting children. This is about removing people who are presumed to be transgender from public life through intimidation via threat of arrest. This is an attack on artistic and personal expression and a fragrant violation of free speech. It is part of a pattern of governmental overreach that thwarts best interests in your districts and ignores the constitution. To label drag as inherently obscene would allow for subjective doling out of obscenity enforcement based on individual law enforcement's personal opinions on attire and gender presentation.

We urge lawmakers to reject this bill and focus on the real needs of Ohioans. Thank you for your time and consideration. Please feel free to contact us with any questions. We welcome further discussion.

The TransOhio Board of Directors and Staff