

Cecil Pulley  
Regarding Ohio HB 249  
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My name is Cecil Pulley and I am a proud Ohio resident, a public service worker, and a drag artist. I am testifying in opposition to the proposed HB249, which creates the crime of “unlawful adult cabaret performance.” Though the the bill intends to protect one of the state’s most vulnerable groups, specifically children, in actuality the vague and widely subjective language of the bill raises more concerns than it seeks to solve, re-hashes bills that have already been struck down across the country, and wastes the time and money of Ohio constituents.

HB 249 restricts any *perceived gender-bending performance* to adult-only venues. This is defined as performers or entertainers who exhibit a gender identity that is different from their gender assigned at birth. Obviously the first thing that comes to mind for many people when it comes to “gender-bending performance” is drag, but the vague language of the bill extends this restriction to all kinds of performances, including theater, and could possibly be used to target transgender and gender non-conforming individuals existing in public life. Following the bill’s language, *my* first ever possible offense of HB 249 would’ve been in the eighth grade, when I was cast to play a king and another character’s father in my middle school play. Performances that “recklessly” challenge and bend gender roles, at least as we understand them today, are as old as theater itself and even *mainstream*, included in family-friendly and widely beloved plays and musicals including *Hairspray* and *Peter Pan*. This means that for Ohio, home to one of the biggest theater districts outside of Broadway in the country, HB 249 could severely limit and restrict the kinds of art that can thrive in our state.

Part of why I have chosen to write this testimony is because I participate in the art form and business of drag performance. I have seen firsthand the joy that drag brings to audiences of all ages when allowed to exist in public spaces including parks and libraries, and I have also seen the financial success that hosting drag and transgender-inclusive events has brought to local businesses including restaurants and artist’s markets. As members of the entertainment industry, drag performers are already doing the work to make sure our events and performances reach the correct and appropriate audiences. Even if you personally do not enjoy drag, it is still an important piece of America’s mainstream culture and artistic economy (see *RuPaul’s Drag Race*, which was won by a Clevelander last year!), and HB 249’s attempt to box-in where these performances can safely thrive is a direct threat on freedom of speech and expression.

Drag is a popular and harmless form of expression enjoyed by audiences of all ages, sexualities, and gender identities, and current obscenity laws within Ohio already effectively help protect juveniles while also allowing people to freely express themselves with appearance in everyday life. HB 249 may seek to strengthen these rules, but in reality the bill follows the form of previous bills that have been deemed unconstitutional while posing a danger to *all* kinds of performance art forms shared in Ohio due to its vague and subjective language in defining gender-bending performances.

Thank you to the committee for taking the time to read my testimony. Your consideration is much appreciated.