

Greetings Chairman Thomas and Members of the Ohio Judiciary Committee,

My name is Adam Wood and this is my testimony in strong opposition to House Bill 249.

The proposed legislation attempts to criminalize “performers or entertainers who exhibit a gender identity that is different from the performer's or entertainer's biological sex using clothing, makeup, prosthetic or imitation genitals or breasts, or other physical markers” in any location other than “an adult cabaret.” This legislation would have profound impacts on not only the arts and culture of Ohio, but it goes even further to frame gender diversity as being obscene and having the state of Ohio be the authority of gender expression.

While working full time in the Higher Education field in Ohio for almost 10 years, I also work part-time as a drag entertainer. With House Bill 249, this would severely limit where drag performances could legally take place and define drag as obscene, regardless of the content of any specific performance. This not only impacts how a drag artist earns a living in the state of Ohio, but it also harms businesses who benefit greatly from hosting drag performances to the point where those businesses could face closure. Drag is an artform that doesn't harm anyone, yet House Bill 249 attempts to say that gender expression is harmful or obscene to juveniles.

House Bill 249 would not only impact the art of drag, but other art forms as well, such as theatrical performances where cross dressing occurs (which has happened for hundreds of years) and limiting trans or nonbinary artists the ability to perform in the state of Ohio.

House Bill 249 would also have a negative impact to transgender and non-binary individuals within the state of Ohio, specifically with its vague language to determine what is considered to be a performance. With that I ask you, what is a performance? Is a performance singing or dancing? Is a performance sitting alone in a coffee shop reading a book? Is a performance going to pick up groceries? All of these scenarios are up for consideration with the subjective definition of the word “performance”.

House Bill 249 is harmful to the artists and the arts in Ohio, harmful to transgender and non-binary Ohioans, and is harmful towards Ohio's economy.

House Bill 249 is a violation of the First Amendment of the United States Constitution, as this bill would violate Freedom of Expression. Bills similar to House Bill 249 have already been struck down as unconstitutional on first amendment grounds across the country (i.e. Montana, Tennessee, Florida, and Texas).

With all of these points in consideration, I urge you all to oppose this bill and refocus your time, effort, and taxpayers money to focus on matters that will have a positive impact on the quality of life for all Ohioans.

Respectfully,
Adam Wood