

Mahoning Valley Queer Action
755 Mahoning Avenue
Youngstown, OH 44502

Dear Chairman Jim Thomas, Vice Chair D.J. Swearingen, Ranking Member Eric Syneberg, and Members of the Judiciary Committee

We are a large grassroots civil rights organization in the Mahoning Valley and writing in opposition to HB249, which would effectively criminalize drag performance and potentially criminalize transgender people for expressing their gender in public spaces outside of venues classified as adult cabarets. We urge you to reject this bill for several reasons: its vague language, its conflict with constitutional protections, and the harm it would cause to Ohio's communities and economy.

HB 249 would harm our everyday community because it targets performers who "exhibit a gender identity different from their sex assigned at birth" using clothing, makeup, or other physical markers. That definition is so broad it could apply to countless forms of artistic expression and everyday behavior. Theater actors, comedians, musicians, and even people attending costume events could be subject to scrutiny if someone claims their performance is "harmful to juveniles." The result would be selective enforcement and harassment of transgender people, gender nonconforming people, and even cisgender people who do not conform to traditional gender expectations.

Second, HB 249 would violate our community's first amendment rights. Drag is a form of artistic and expressive performance protected by the First Amendment to the United States Constitution. Courts across the country have already blocked similar laws for violating free speech protections and for being unconstitutionally vague. Passing legislation that just wastes taxpayer money on litigation that Ohio is unlikely to win.

Third, this bill would harm our arts community and local economies. Drag performances and gender-play theatrical traditions are part of the broader performing arts ecosystem. They occur in theaters, community centers, festivals, and charity events across the state. By restricting these performances to venues defined as adult cabarets, HB 249 effectively labels drag as inherently sexual or obscene, which is both inaccurate and damaging. Many drag performances are family-friendly, comedic, or cultural in nature. Treating all drag as adult entertainment stigmatizes artists and discourages venues from hosting events that bring people together and generate local revenue.

Finally, HB 249 sends a message to our transgender and gender-nonconforming Ohioans that their existence in public life is suspicious or criminal. Laws should protect people from harm, not create new opportunities for harassment. The vague language in this bill risks criminalizing people simply for how they dress, perform, or express themselves.

Ohio should focus its legislative efforts on issues that improve the lives of its residents by strengthening public services, supporting the arts, and protecting constitutional rights for all Ohioans, including our beloved LGBTQIA+ community. We are your friends and neighbors, and we deserve equality before the law.

For these reasons, we respectfully urge this committee to vote NO on Ohio House Bill 249.

Thank you for your time and consideration.