

Testimony

My name is Amelia Logan writing from Lakewood Ohio.

I am not writing as a member of the LGBTQ+ community, but as an ally and as a citizen who believes in fundamental freedoms. I believe this bill is a dangerous overreach of personal freedoms that will have consequences beyond its stated intent.

My opposition comes down to three main points: the protection of artistic expression, the protection of adults' freedom of association, and the protection of our constitutional rights.

The bill will hurt local businesses and violates the free market values. It tells restaurant owners, theater owners, and private venue owners that they cannot host certain types of entertainment, even if their customers are adults who willingly chose to be there. If an establishment wants to host a drag brunch, and adults want to pay to attend it, the government should not step in to shut it down simply because they dislike the aesthetic.

This bill has a chilling effect free speech. This bill will give the state power to decide what is "appropriate" expression a violation of the first amendment. It would force all artists to self-censor, fearing that their work includes any perceived gender-performance, they could face a felony charge. If the government can criminalize a drag performance because they deem it "harmful," what stops them from coming after political speech we hold dear tomorrow?

Additionally, it impacts the rights of consenting adults to gather and participate in entertainment of their choosing. It specifies what is considered appropriate for adults to view in public spaces. By directing performances involving gender expression into explicitly sexual venues, the government appears to imply that attendance at events such as drag brunches or theatrical performances could be viewed with suspicion. I believe that adults are capable of understanding and engaging with various forms of expression without the need for intervention.

Most important, this bill is unconstitutional. Similar laws in Montana, Tennessee, and Florida have already been blocked by federal courts for being vaguely worded and violating the First Amendment. The courts recognized that these laws criminalize protected speech. This bill equates the identity of the performer with the content of the performance, suggesting that simply because a person is performing in drag, their expression is "obscene." HB24 does not solve a problem; it is inviting expensive, taxpayer-funded lawsuits that we will lose, and infringing on the rights of our citizens in the meantime.

HB249 is a solution in search of a problem. It does not make our community safer. The public is not foolish. These bills are used to create fear and distract from more important issues. Legislators should be focusing on the nuclear energy bribery scandal instead of wasting time with unconstitutional bills that waste EVEN MORE of our tax payer dollars.