

March 17th, 2026

Scarlett Michelle Nicholson

Opposition Testimony – HB 249

Chair Thomas, Vice Chair Swearingen, Ranking Member Synenberg, and members of the Judiciary Committee,

Thank you for the opportunity to provide testimony in opposition to Ohio House Bill 249.

My name is Scarlett Michelle Nicholson. I am an artist, business owner, caretaker for my mother, and a proud transgender woman. I sing, dance, act, emcee, and model. While I have not participated in drag performances myself, I have witnessed many, the majority of which were artistic and family-friendly, not obscene or designed to arouse. One memorable example was a cosplay of Ursula from The Little Mermaid lip-syncing “Poor Unfortunate Souls,” a performance suitable for all ages.

As a transgender woman and performer, the verbiage in lines 162–165 of this bill terrifies me:

“(v) 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 context, this language sexualizes transgender, non-binary, and gender-fluid identities, while creating ambiguity that could lead to wrongful convictions and lifelong labeling as a sex offender. It sets a precedent for discrimination against a vulnerable community under the guise of regulating “obscene” performances.

Obscenity and indecent exposure are already illegal. This bill is unnecessary. If the Committee believes changes are needed, I respectfully urge the removal of lines 162–165 to protect transgender and gender-nonconforming individuals from criminalization solely based on identity or presentation.

Thank you for your consideration. I am happy to answer any questions regarding the real-world impacts of this bill on performers like me.