

Opponent Testimony - H.B. 249  
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Chair Thomas, Vice Chair Swearington, Ranking Member Synenberg and all members of the House Judiciary Committee: thank-you for the opportunity to provide my written testimony in opposition to House Bill 249.

H.B. 249 broadens the definition of “adult cabaret performance” to include “performers or entertainers who exhibit a gender identity that is different from the performer’s or entertainer’s gender assigned at birth” via makeup, clothes, or prosthetics. Proponents of the bill claim that it simply bans lewd or indecent performances in spaces where minors might be present. In reality, this bill would criminalize a wide range of art and entertainment—much of it devoid of any sexual content—and drastically limit freedom of expression for LGBTQ+ Ohioans.

H.B. 249 classifies virtually all drag shows as “adult cabaret” performances, simply because of the performers’ gender presentation. This is a fundamental misunderstanding of drag as an art form. Over the past year, I’ve had the opportunity to attend a number of drag shows in and around Columbus. I can say with confidence that not all drag is sexualized or suggestive. Many drag entertainers perform in modest attire—from full-length ball gowns, to suits, to rhinestoned t-shirts and jeans. I’ve seen G-rated drag performances featuring uplifting messages about family, self-acceptance, and love. Banning public drag is no different than banning public theater, music or dance. If H.B. 249 becomes law, it will set a dangerous precedent, and lay the groundwork for criminalizing other forms of art and expression.

While banning public drag is bad enough, H.B. 249 would effectively bar transgender people from engaging in *any* form of public performance—however conservative or family-friendly. Transgender people may routinely use clothes, makeup, or prosthetics to present a gender identity different from the one they were assigned at birth. These forms of gender expression allow trans people to navigate daily life with more safety and ease. Under H.B. 249, a trans person could be charged with a crime for playing guitar at a farmer’s market, or singing the national anthem at a ball game. This is a gross violation of freedom of expression for LGBTQ+ people—and for anyone who might be viewed as transgressing gender norms. It is nothing less than an attempt to push trans and gender-nonconforming people out of public life. I urge you to reject S.B. 249, and preserve the safety, dignity and freedom of everyone in our community.