

Opponent Testimony for House Bill 249 – Written-Only
House Judiciary Committee
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Chair Thomas, Vice Chair Swearingen, Ranking Member Synenberg, and members of the House Judiciary Committee, thank you for this opportunity to provide written testimony to House Bill (HB) 249. My name is Elizabeth Katavich (she/her), and I serve as Lead Advocacy Coordinator for the LGBT Community Center of Greater Cleveland.

We ask you to reject HB 249. HB 249 is an unnecessary extension of our government's reach which will disrupt the balance of our community, damage Ohio's creative industry, and will most likely lead to costly legal battles with a low probability of success for our state.

In its current form, HB 249 is also an extremely ambiguous piece of legislation. By focusing on "physical markers" rather than the behavior of an individual, the bill creates a vast, subjective gray area for interpretation. This bill effectively allows 88 separate county prosecutors and many law enforcement groups to make decisions on a case-by-case basis and through personal judgement rather than solid legal guidelines.

Ohio already has an extremely comprehensive set of laws (specifically ORC 2907.31 and 2907.32) that very clearly prohibit exposing juveniles to obscene material. Therefore, if a performance is truly harmful, it has already been prohibited by law. HB 249 will have theater directors, librarians, small cafe owners, and other local business people combing over legal definitions, wondering if a production of Mrs. Doubtfire or a creative Halloween costume will result in a felony conviction due to one person's opinion.

Ohio's economy will also suffer as a result of HB 249. The unclear wording used in the bill creates significant concerns for business venues that bring in tourist-based revenue and host local community spaces. Many businesses and places which host events (such as small cafes, community libraries, and local theaters) would rather cancel their events than risk losing everything.

HB 249 is also a blatant case of state-sanctioned censorship. This bill tells professionals in creative industries that Ohio is not a safe place to start a business or build a name for themselves as entrepreneurs. It will stifle creativity across the state and will likely result in

many young professionals with skills and ambition leaving Ohio to live and work in more welcoming environments.

And finally, we have to consider how laws similar to HB 249 have performed nationally. We have seen similar laws fail for the exact same reason: their ambiguity. Just this month, in March 2026, federal courts in Montana reiterated that the law must distinguish between harmful conduct and protected artistic expression. By moving forward with HB 249, Ohio is knowingly inviting years of resource-wasting litigation to defend a law built on a shaky constitutional foundation.

At the Center, our mission is to provide our LGBTQ+ Ohioans with the support and education they need to thrive. We believe in a state that celebrates one's true identity and does not consider it a legal liability, but a source of pride instead. HB 249 undermines our ability to provide safe spaces for our community and replaces it with a system that benefits no one but our government instead.

We should be working towards a state that allows each and every one of its citizens to thrive and feel safe instead of wasting our resources persecuting the self-expression of our most vulnerable communities. On behalf of the community we serve, **we ask that you vote NO on House Bill 249.**