

**Senate Judiciary Committee**  
**March 20th, 2023 HB 1333**  
**Testimony in Opposition**

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Dear Chair Larson and the members of the Senate Judiciary Committee,

I urge a “Do Not Pass” on HB 1333.

Representative Prichard’s testimony included a number of recommendations that I would like to see added to this bill:

1. Concrete definitions for “topless dancers”, “exotic dancers”, “strippers”, or “male or female impersonators”
  - a. Topless Dancer - Does this include men? Nipple coverings? If we’ve determined trans women are biologically male where do they fit with this within considerations for topless dancing?
  - b. Exotic Dancer - I feel this is too vague, what is “exotic”?
  - c. Strippers - Include what level of removing clothing constitutes obscenity.
  - d. Male or Female Impersonators - Does this include cross dressing for reasons other than entertainment? Such as plays.
2. Who gets arrested? Rep. Prichard recommended the establishment owner in an effort to protect contractors and employees.
  - a. Would these laws impact a bachelor/ette party in a home with children?

Personally I recommend,

1. Change Male or Female Impersonators to “**anyone** who provides entertainment that appeals to a prurient interest.”

I realize this is more restrictive, but it would only be fair. That way men, women, and impersonators will be treated equally under the law. Otherwise, you could theoretically have a woman in a dress on a float twerking, next to a man in a dress on that same float twerking, but only one would be considered criminal. However, as sex stereotyping is strongly protected, I’m confused as to what clothes a man could wear that would constitute criminality, if they wore them without intent to impersonate sex. (Clarification of terms above would help this.)

I believe we’re all here to stop entertainment that appeals to a prurient interest and Rep. Prichard specifically noted “prurient performances by straight or gay performers.” There are, after all, women who dress up as drag queens. Which is why “impersonator” is too limited and virtually meaningless.

In line with HB 1256, it may also be worth including some punishment mechanism for someone who improperly accuses a show or individual of prurient behavior, if that accusation was made

to have no basis in fact or law. As that is not unlike accusing someone of sexual harassment. I believe that since Rep. Prichard did vote in favor of HB 1256, he would support this included amendment. While this is quite a lot to add, I believe if this bill is cleaned up, and includes these suggestions, I would recommend, "Do Pass."

Thank you for your time, consideration, and service to our state,  
Faye Seidler