Testimony in opposition to HB 1333

Senate Judiciary Committee

Christina Sambor, North Dakota Human Rights Coalition, Human Rights Campaign

March 20, 2023

Chairwoman Larson and Members of the Committee:

I come before you today to oppose HB 1333. This bill is overly broad and restricts free speech. It also seeks to regulate entertainment that has always been a part of American entertainment and expression. This bill appears to be aimed at a misconception that drag always is inherently sexual. Drag is an important part of LGBTQ+ community. It is a highly entertaining expression of joy. It is also not monolithic. Drag performance, like any performances, are tailored to audiences. If a drag show has more explicit content, it would be performed in 21+ establishments. There is no legitimate state interest in criminalizing drag performances. These types of prior restraint laws are subject to very high scrutiny, as they impede free speech. If the committee's desire is to ensure that drag shows, and any other adult entertainment, are not used inappropriately in ways that would expose children to age-inappropriate behavior, the language in

this bill should be amended to be better tailored to that purpose. Please vote no on HB 1333.