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TEXAS CIVIL RIGHTS PROJECT FILES LAWSUIT AGAINST DRAG BAN

The law, set to go into effect September 1st, criminalizes businesses that host drag performances in the presence of a minor

TEXAS - Today, the Texas Civil Rights Project (TCRP) is filing a lawsuit against the State of Texas over [Senate Bill 12](#) (SB12), a discriminatory measure targeting LGBTQ+ Texans that violates the civil rights and freedoms of every Texan to express themselves through performance. The lawsuit is filed on behalf of VORTEX Repertory Company, several Texas LGBT Chambers of Commerce, and individual performers.

“The free expression of the LGBTQ+ community has always been targeted by those in power. SB12 is no different from old discriminatory laws that used to criminalize women who wore pants,” said **Dustin Rynders (he/him), Criminal Injustice Program Director at the Texas Civil Rights Project**. “But despite what some Texas politicians believe, we know that drag is not a crime.”

The extremist politicians behind this law seek to ban drag performances by fining businesses that host drag shows in the presence of minors with a civil penalty fine of up to \$10,000 for each violation, and will prevent cities and counties across the state from providing permits and licenses to events that include drag performances. However, the law is so poorly written and so broad that it criminalizes not just drag performances, but also concerts, actors, cheerleaders, wrestlers, and other entertainment performances. TCRP is filing this lawsuit on behalf of The VORTEX Theatre, the Greater Houston LGBT Chamber of Commerce, and individual performers. The law is set to go into effect September 1, 2023.

“This bill is a blatant violation of the First Amendment right to freedom of speech,” said **Ashley Fernandez Dorsaneo (she/her), Criminal Injustice Senior Supervising Attorney at the Texas Civil Rights Project**. “Texans of all backgrounds and gender identities deserve to express themselves freely, but this ban silences a broad swath of speech by all kinds of actors and performers. Similar laws have been struck down in other states, and we are confident that SB12 will not hold up in court.”

“SB 12 imposes unprecedented restrictions for our members including small businesses and nonprofits and jeopardizes their revenue and impacts their operations. The law creates extreme burdens for our members on top of the challenges of running their day-to-day operations,” said **Tammi Wallace, Co-Founder, President & CEO, Greater Houston LGBT Chamber of Commerce**. “We are spending valuable time and resources educating our members and the community about the severe consequences of this law, which is impacting our ability and opportunity to help small businesses and promote the Chamber’s mission focused on LGBTQ+ economic inclusion.”

Echoing this sentiment, **Tony Vedda, President & CEO of the North Texas LGBT Chamber of Commerce**, added, “We oppose SB 12 as it is an ineffective and ambiguous law that imposes limitations on the rights of Texans, including small businesses and nonprofits, and places unnecessary burdens on our members and their customers. Instead of focusing on broadening the economic inclusion of the LGBTQ+ community, this legislation compels us to divert our efforts toward educating our members about the restrictions it imposes. We firmly believe that SB 12 violates the basic First Amendment rights for all Texans.”

“The VORTEX opposes the passage of Texas S.B.12 as an attack on our Constitutional right of free speech through our artistic expression. For 35 years, we have created urgent, unashamed art as we have produced hundreds of original productions, nurtured generations of artists, received hundreds of awards, and dared to dream the world in which we want to live. We have cultivated a fearless theatre exchange, a nationally-certified butterfly sanctuary, and a thriving cultural harbor in East Austin. This law is broad, hateful, and difficult to interpret and enforce. It is an attack on our First Amendment rights to create our theatrical art without oversight by the state. It threatens my professional career and places me and our non-profit performing arts company in jeopardy for making the art that we have shaped and nurtured since 1988,” said **Bonnie Cullum, Co-Founder and Producing Artistic Director, The VORTEX**.

“We oppose SB 12 as it is a poorly written and vague law that restricts the rights of Texas citizens, including small businesses and nonprofits, and creates undue burdens for our members and their customers,” said **Jeff Ivey, President of the San Antonio LGBT Chamber of Commerce**. “This legislation is now causing us to focus on educating our members about the restrictions this law creates instead of working on broadening the economic inclusion of the LGBTQ+ community. We feel strongly that SB 12 violates basic First Amendment rights for all Texans.”

You can view the filing [here](#). If you are interested in interviewing one of TCRP’s lawyers or experts working on the lawsuit, please contact media@texascivilrightsproject.org for scheduling.

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About [Texas Civil Rights Project](#)

The Texas Civil Rights Project is boldly serving the movement for equality and justice in and out of the courts. We use our tools of litigation and legal advocacy to protect and advance the civil rights of everyone in Texas, and we partner with communities across the state to serve the rising movement for social justice. We undertake our work with a vision of a Texas in which all communities can thrive with dignity, justice and without fear.