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Comptroller Hegar Statement on Drag Show Issue

In recent months my office has initiated investigations into a number of Texas establishments that feature drag performances at which children have been encouraged not only to attend, but to actively participate in the performances. In at least one instance, the children were subjected to cat calls or were encouraged to tip performers with dollar bills while the suggestively clad performers dragged the children up and down a catwalk in front of a neon sign reading "It's not going to lick itself."

As a father of 3 children, I completely understand the frustration of Texans who want something done immediately, as I personally find this behavior abhorrent and reprehensible. It runs counter to the values that Texans cherish regardless of political affiliation.

I share that frustration as it is clear that children should not participate in, nor attend these events. We absolutely need additional provisions in Texas law to protect children. These provisions are needed not just in the tax code, but also in the penal code.

Unfortunately, while the text of the current statute might appear to give me an avenue to designate these as sexually oriented businesses, the reality is more complex. Texas' sexually oriented business laws have been significantly watered down by the courts over the last decade. The courts have even ruled that a thin layer of latex paint sprayed on to otherwise nude dancers constitutes clothing. This is exactly why Texas laws need to be updated and strengthened. Losing this fight is not an option, and I will not allow activist courts to further undermine Texas values by engaging in a legal battle without having the proper statutory support needed to win that battle.

My office will continue to investigate these performances to find violations of current law. But to win long term, I am committed to work with conservative legislators to update state law in the coming session to give my office the authority needed to protect Texas values and Texas children.