

## **Criminal Justice: Restrictions on Drag Performances**

No updates required since May 1, 2026

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### **Recommended citation:**

Movement Advancement Project. [Year of access]. “Equality Maps: Restrictions on Drag Performances.” <https://mapresearch.org/equality-map/restrictions-on-drag-performances/>. Data as of [day of access].

## Background

Drag is an art form dating back centuries, and it is also a vital part of LGBTQ culture and history. While U.S. state laws restricting gender-based dress also date back to at least the 1800s, 2023 brought a resurgence of efforts to limit free speech and expression in the form of drag performances. These attacks are part of a much broader and coordinated effort attacking gender expression, transgender people, and the LGBTQ community more broadly. For more, read MAP's ongoing series [\*Under Fire: The War on LGBTQ People in America\*](#).

## Equality Map & Additional Resources

- See our [Equality Map: Restrictions on Drag Performances](#), which is updated and maintained in real time alongside this document.
- See MAP's [\*Under Fire: The War on LGBTQ People in America\*](#), a 2023 research series detailing the varied attacks on LGBTQ people across virtually every aspect of life, including attacks on drag performances and LGBTQ people in public spaces.

## Summary Table

Category	States	Bill link	Year enacted	Lawsuits and/or Notes
<b>States that explicitly restrict drag performances</b> <i>(2 states)</i>	Montana*	<a href="#">HB359</a>	2023	<a href="#">Imperial Sovereign Court et al v. Knudsen</a> *Blocked since July 2023
	Tennessee	<a href="#">SB3/HB9</a>	2023	<a href="#">Friends of George's v. Mulroy</a>
<b>States that have laws about “adult” or “sexual” performances that could be used to target drag</b> <i>(4 states)</i>	Arkansas	<a href="#">SB43</a>	2023	
	Florida	<a href="#">S1438</a>	2023	<a href="#">HM Florida-Orlando v. Florida</a>
	North Dakota	<a href="#">HB1333</a>	2023	
	Texas	<a href="#">SB12</a>	2023	<a href="#">Woodlands Pride v. Colmenero</a> and <a href="#">Vortex Repertory Co. et al. v. Colmenero et al</a>
<b>No state law explicitly restricting drag performances or about “adult” or “sexual” performances that could be used to target drag</b> <i>(44 states, D.C., and 5 territories)</i>	All others			

## Chronology

### Order of Laws

(by date of governor signature or veto override; not by effective date)

#### Laws Explicitly Restricting Drag

1. Tennessee – [SB3/HB9](#) – March 2, 2023
2. Montana – [HB359](#) – May 22, 2023 (currently blocked by court order)

#### Laws That May Be Used to Target Drag, But Do Not Explicitly Restrict Drag

1. Arkansas – [SB43](#) – February 24, 2023
2. North Dakota – [HB1333](#) – April 21, 2023
3. Florida – [S1438](#) – May 17, 2023
4. Texas – [SB12](#) – June 18, 2023

## State-by-State Sources & More Detail

### Alabama

- State law does not explicitly restrict drag performances

### Alaska

- State law does not explicitly restrict drag performances

### Arizona

- State law does not explicitly restrict drag performances

### Arkansas

- State has law about “adult” or “sexual” businesses or performances that could be used to target or restrict drag performances
- See [SB 43](#) (2023)

### California

- State law does not explicitly restrict drag performances

### Colorado

- State law does not explicitly restrict drag performances

### Connecticut

- State law does not explicitly restrict drag performances

### Delaware

- State law does not explicitly restrict drag performances

### District of Columbia

- State law does not explicitly restrict drag performances

## Florida

- State has law about “adult” or “sexual” businesses or performances that could be used to target or restrict drag performances
- See [S 1438](#) (2023)
- Lawsuit status: See [HM Florida-Orlando v. Florida](#).
  - May 2023: case filed.
  - June 2023: a federal judge [temporarily blocked](#) enforcement of this law, ruling it likely unconstitutional. The state appealed this ruling, but both the Eleventh Circuit and U.S. Supreme Court declined to stay the temporary block.
  - May 2025: a three-judge panel of the Eleventh Circuit [upheld](#) the lower court’s decision, finding the law likely unconstitutional.
  - Dec 2025: the Eleventh Circuit decided to rehear the case en banc (as the full court, rather than the three-judge panel) and, while that proceeds, [reversed](#) the earlier rulings. This allowed the law to go into effect except at Hamburger Mary’s, the named challenger to the law, as the case continues.
  - June 2026: oral arguments are [scheduled](#) to be held in Atlanta for the full en banc rehearing.

## Georgia

- State law does not explicitly restrict drag performances

## Hawai`i

- State law does not explicitly restrict drag performances

## Idaho

- State law does not explicitly restrict drag performances

## Illinois

- State law does not explicitly restrict drag performances

## Indiana

- State law does not explicitly restrict drag performances

## Iowa

- State law does not explicitly restrict drag performances

## Kansas

- State law does not explicitly restrict drag performances

## Kentucky

- State law does not explicitly restrict drag performances

### **Louisiana**

- State law does not explicitly restrict drag performances

### **Maine**

- State law does not explicitly restrict drag performances

### **Maryland**

- State law does not explicitly restrict drag performances

### **Massachusetts**

- State law does not explicitly restrict drag performances

### **Michigan**

- State law does not explicitly restrict drag performances

### **Minnesota**

- State law does not explicitly restrict drag performances

### **Mississippi**

- State law does not explicitly restrict drag performances

### **Missouri**

- State law does not explicitly restrict drag performances

### **Montana**

- State law\* explicitly restricts drag performances
- See [HB 359](#) (2023) explicitly restricting drag, and see also [HB234](#) (2023) indirectly targeting drag and other LGBTQ content via obscenity law
- Lawsuit status: see [Imperial Sovereign Court et al v. Knudsen](#).
  - July 2023: case filed.
  - July 2023: a judge temporarily blocked enforcement of this law.
  - Oct 2023: the temporary block was [continued](#).
  - March 2026: the Ninth Circuit [upheld](#) the lower court's block, meaning the law remains unenforceable at this time.

### **Nebraska**

- State law does not explicitly restrict drag performances

### **Nevada**

- State law does not explicitly restrict drag performances

### **New Hampshire**

- State law does not explicitly restrict drag performances

### **New Jersey**

- State law does not explicitly restrict drag performances

### **New Mexico**

- State law does not explicitly restrict drag performances

### **New York**

- State law does not explicitly restrict drag performances

### **North Carolina**

- State law does not explicitly restrict drag performances

### **North Dakota**

- State has law about “adult” or “sexual” businesses or performances that could be used to target or restrict drag performances
- See [HB 1333](#) (2023)
  - Law also preempts local ordinances that would conflict with this law

### **Ohio**

- State law does not explicitly restrict drag performances

### **Oklahoma**

- State law does not explicitly restrict drag performances

### **Oregon**

- State law does not explicitly restrict drag performances

### **Pennsylvania**

- State law does not explicitly restrict drag performances

### **Rhode Island**

- State law does not explicitly restrict drag performances

### **South Carolina**

- State law does not explicitly restrict drag performances

### **South Dakota**

- State law does not explicitly restrict drag performances

## Tennessee

- State law explicitly restricts drag performances
- See [SB 3/HB 9](#) (2023)
- Lawsuit status: see [Friends of George’s Inc. v. Tennessee](#) (formerly *Friends of George’s Inc v. Mulroy*).
  - March 30, 2023: case filed.
  - March 31, 2023: a temporary restraining order [blocked enforcement](#) of the law.
  - June 2023: a federal judge ruled the law [unconstitutional](#), though the state appealed the decision.
  - July 2024: a three-judge panel of the Sixth Circuit reversed the lower court’s decisions and directed the case to be dismissed due to a perceived lack of standing. This ruling did not speak to the law’s constitutionality.
  - Sept 2024: the Sixth Circuit [denied](#) plaintiffs’ motion to have the full court rehear the case (en banc, rather than just the earlier three-judge panel).
  - Feb 2025: the U.S. Supreme Court [denied](#) plaintiffs’ motion to hear the case.

## Texas

- State has law about “adult” or “sexual” businesses or performances that could be used to target or restrict drag performances
- See [SB 12](#) (2023)
- Lawsuit status: See [Woodlands Pride et al v. Paxton et al](#) (formerly *Woodlands Pride et al v. Colmenero et al*) and [Vortex Repertory Co. et al. v. Colmenero et al](#), both filed in Aug 2023.
  - Aug 2023: both cases filed, and later [consolidated](#).
  - Aug 2023: a federal judge temporarily blocked the law, ruling it likely unconstitutional.
  - Sept 2023: in *Woodlands Pride* case, a federal judge [permanently blocked](#) the rule, ruling it unconstitutional.
  - Nov 2025: the Fifth Circuit vacated the earlier block and sent the case back to the lower court for further review.
  - March 18, 2026: The law [goes into effect](#) for the first time, though the case is still ongoing. There is another request to block the law, so the law may be blocked again in the future.

## Utah

- State law does not explicitly restrict drag performances

## Vermont

- State law does not explicitly restrict drag performances

## Virginia

- State law does not explicitly restrict drag performances

**Washington**

- State law does not explicitly restrict drag performances

**West Virginia**

- State law does not explicitly restrict drag performances

**Wisconsin**

- State law does not explicitly restrict drag performances

**Wyoming**

- State law does not explicitly restrict drag performances

**U.S. Territories**

**American Samoa**

- Territory law does not explicitly restrict drag performances

**Guam**

- Territory law does not explicitly restrict drag performances

**Northern Mariana Islands**

- Territory law does not explicitly restrict drag performances

**Puerto Rico**

- Territory law does not explicitly restrict drag performances

**U.S. Virgin Islands**

- Territory law does not explicitly restrict drag performances