



State Representative Brian Stewart

Sponsor Testimony on House Concurrent Resolution 28

October 12th, 2021

Chairwoman Lanese, Vice-Chair Young and ranking member Ingram, thank-you for allowing me to provide sponsor testimony on House Concurrent Resolution 28, which urges the National Collegiate Athletic Association to reinstate the wins and records of the 2010 Ohio State University Football team.

The 2010 Ohio State University Football team went 12-1, won the Big Ten Championship, and won the Sugar Bowl. The team featured a Top 5 career all-time passer (Terrelle Pryor), a top five career all-time receiver (DeVier Posey), a top-ten career all-time rusher (Daniel “Boom” Herron) and an All-American (Mike Adams). Beyond these high-profile stars, however, were hundreds of other players, coaches, trainers and university personnel that attributed to the success of the 2010 football season. Beyond that, are the tens of thousands of students who invested their time, energy, and passion supporting the team. Beyond that, are the millions of Ohioans, fans and alumni, who fill the Horseshoe with 100,000 people each Saturday, and who derive a great deal of pride from the accomplishments of this university and its teams.

Unfortunately, these accomplishments were vacated for over a decade ago as a result of sanctions imposed by the NCAA in connection with five Ohio State Football players who sold their own memorabilia to receive other services, which violated NCAA rules. In the record books, the 2010 football season does not exist, the wins do not count, the records are wiped away. The punishment did not just fall upon the handful of players at the center of the controversy, it fell on their coaches, their teammates, the fanbase, and the university.

This resolution does not opine as to whether the sanctions issued by the NCAA was just or unjust. Rather, the resolution argues that, in effect, enough is enough. Much has changed since 2010. Ohio recently joined legislatures nationwide in adopting “name, image, and likeness” legislation to allow student-athletes to profit from their athletic activities. The NCAA itself quickly followed suit and amended its rules to allow the same. In just a few short months, we have read of endorsement deals involving hundreds of thousands of dollars, with some elite college athletes even signing deals which will make them millionaires. Faced with this new reality, it is only reasonable that we ask whether past sanctions which sought to punish athletes for profiting from their achievements, are still appropriate.

I filed this resolution because I believe the answer is “no.” It is, frankly, absurd to continue to single out and disrespect Buckeye Nation for punishment because its quarterback sold his own memorabilia a decade ago, while at the same time Alabama’s quarterback now rakes in \$1 million in endorsements. It is all the more absurd when you consider the NCAA’s treatment of Penn State. In 2012, the NCAA issued sanctions which vacated 111 wins of the Penn State football team in connection with the Jerry Sandusky child rape scandal. However, a far fewer number of people realize that in 2015 – a mere 3 years later – the NCAA caved in the face of a Penn State lawsuit and reinstated all those wins. My fellow Representatives, if Penn State can reclaim its history and wins after its complicity in the rape of children, there is no rational argument for continuing to punish Buckeye Nation, and one of Ohio State’s most successful teams in history, over “Tattoo-gate.”

Some may say “it’s just football – why do you care?” The Ohio State University generates \$15.2 billion of economic impact each and every year. It produces thousands of graduates each year, it employs more than 38,000 people, and it is a source of immense pride for our state. The reputation of this university matters to me, it matters to our residents, and I believe it is important that we speak up for this institution, in a clear, bipartisan voice, and urge the NCAA to restore and respect the university’s history.

I respectfully ask that you favorably report House Concurrent Resolution 28, and I am happy to answer any questions you may have.

