

**As Passed by the Senate**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. S. B. No. 126**

**Senators Kunze, Gavarone**

**Cosponsors: Senators Brenner, Cirino, Yuko, Antonio, Antani, Blessing, Craig, Dolan, Fedor, Hackett, Hottinger, Huffman, S., Johnson, Maharath, McColley, Peterson, Reineke, Roegner, Rulli, Schuring, Sykes, Thomas, Williams, Wilson**

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**A BILL**

To amend section 2903.31 and to enact sections 1  
2903.311, 3333.0417, and 3345.19 of the Revised 2  
Code to enact Collin's Law: The Ohio Anti-Hazing 3  
Act with regard to hazing policies at colleges 4  
and criminal prohibitions against hazing. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 2903.31 be amended and sections 6  
2903.311, 3333.0417, and 3345.19 of the Revised Code be enacted 7  
to read as follows: 8

**Sec. 2903.31.** (A) As used in this section, ~~"hazing":~~ 9

(1) "Hazing" means doing any act or coercing another, 10  
including the victim, to do any act of initiation into any 11  
student or other organization or any act to continue or 12  
reinstate membership in or affiliation with any student or other 13  
organization that causes or creates a substantial risk of 14  
causing mental or physical harm to any person, including 15  
coercing another to consume alcohol or a drug of abuse, as 16

defined in section 3719.011 of the Revised Code. 17

(2) "Organization" includes a national or international organization with which a fraternity or sorority is affiliated. 18  
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(B) (1) No person shall recklessly participate in the hazing of another. 20  
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(2) No administrator, employee, ~~or~~ faculty member, teacher, consultant, alumnus, or volunteer of any organization, including any primary, secondary, or post-secondary school or ~~of~~ any other educational institution, public or private, shall recklessly permit the hazing of any person associated with the organization. 22  
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(C) (1) No person shall recklessly participate in the hazing of another when the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to the other person. 28  
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(2) No administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization, including any primary, secondary, or post-secondary school or any other educational institution, public or private, shall recklessly permit the hazing of any person associated with the organization when the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to that person. 32  
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(3) No parent or guardian whose child is a student at any primary, secondary, or post-secondary school or any other educational institution, public or private, shall recklessly permit the hazing of any person associated with the school or institution when the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to that person. 39  
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(D) Whoever violates this section is guilty of hazing. A 46  
violation of division (B) (1) or (2) of this section is a 47  
misdemeanor of the ~~fourth~~ second degree. A violation of 48  
division (C) (1), (2), or (3) of this section is a felony of the 49  
third degree. 50

**Sec. 2903.311.** (A) As used in this section, "hazing" and 51  
"organization" have the same meanings as in section 2903.31 of 52  
the Revised Code. 53

(B) No administrator, employee, faculty member, teacher, 54  
consultant, alumnus, or volunteer of any organization, including 55  
any primary, secondary, or post-secondary school or any other 56  
public or private educational institution, who is acting in an 57  
official and professional capacity shall recklessly fail to 58  
immediately report the knowledge of hazing to a law enforcement 59  
agency in the county in which the victim of hazing resides or in 60  
which the hazing is occurring or has occurred. 61

(C) No parent or guardian whose child is a student at any 62  
primary, secondary, or post-secondary school or any other public 63  
or private educational institution shall recklessly fail to 64  
immediately report the knowledge of hazing to a law enforcement 65  
agency in the county in which the victim of hazing resides or in 66  
which the hazing is occurring or has occurred. 67

(D) A violation of this section is a misdemeanor of the 68  
fourth degree, except that the violation is a misdemeanor of the 69  
first degree if the hazing causes serious physical harm. 70

**Sec. 3333.0417.** (A) As used in this section: 71

(1) "Hazing" and "organization" have the same meanings as 72  
in section 2903.31 of the Revised Code. 73

(2) "Institution of higher education" has the same meaning 74

as in section 3345.19 of the Revised Code. 75

(B) The chancellor of higher education shall develop a 76  
statewide educational plan for preventing hazing at institutions 77  
of higher education. The plan shall include at least both of the 78  
following: 79

(1) A model anti-hazing policy that prohibits students 80  
enrolled in an institution of higher education, or other 81  
individuals associated with an organization recognized by or 82  
operating under the sanction of an institution, from engaging in 83  
hazing or a violation of section 2903.31 of the Revised Code. 84  
The model policy shall meet the requirements prescribed under 85  
division (B) of section 3345.19 of the Revised Code. The 86  
chancellor shall provide the model policy to each institution. 87

(2) Guidelines regarding anti-hazing education and 88  
training for all of the following: 89

(a) Students enrolled in an institution; 90

(b) Administrators, faculty members, and individuals 91  
employed by an institution; 92

(c) Organizations recognized by, or operating under the 93  
sanction of, an institution. 94

**Sec. 3345.19.** (A) As used in this section: 95

(1) "Hazing" and "organization" have the same meanings as 96  
in section 2903.31 of the Revised Code. 97

(2) "Institution of higher education" means the following: 98

(a) A state institution of higher education as defined in 99  
section 3345.011 of the Revised Code; 100

(b) A nonprofit institution holding a certificate of 101

<u>authorization pursuant to Chapter 1713. of the Revised Code;</u>	102
<u>(c) An institution holding a certificate of registration</u>	103
<u>from the state board of career colleges and schools;</u>	104
<u>(d) A private institution exempt from regulation under</u>	105
<u>Chapter 3332. of the Revised Code as prescribed in section</u>	106
<u>3333.046 of the Revised Code.</u>	107
<u>(B) Each institution of higher education shall develop an</u>	108
<u>anti-hazing policy that prohibits students enrolled in an</u>	109
<u>institution of higher education, or other individuals associated</u>	110
<u>with an organization recognized by or operating under the</u>	111
<u>sanction of an institution, from engaging in hazing or a</u>	112
<u>violation of section 2903.31 of the Revised Code. The policy</u>	113
<u>shall apply to an act conducted on or off-campus if the act is</u>	114
<u>determined to constitute hazing or a violation of section</u>	115
<u>2903.31 of the Revised Code. The policy shall apply only if the</u>	116
<u>hazing or violation of section 2903.31 of the Revised Code takes</u>	117
<u>place between two or more people who are affiliated with the</u>	118
<u>institution. The policy shall include all of the following:</u>	119
<u>(1) Rules prohibiting hazing;</u>	120
<u>(2) A method to enforce the policy;</u>	121
<u>(3) Appropriate penalties for violations of the policy,</u>	122
<u>which may include any of the following:</u>	123
<u>(a) The imposition of fines;</u>	124
<u>(b) Withholding of diplomas or transcripts pending</u>	125
<u>compliance with the rules or payment of fines;</u>	126
<u>(c) The revocation of permission for an organization to</u>	127
<u>operate on campus or to otherwise operate under the recognition</u>	128
<u>or sanction of the institution;</u>	129

(d) The imposition of probation, suspension, dismissal, or 130  
expulsion. 131

A penalty imposed under the policy adopted under division 132  
(B) of this section shall be in addition to a penalty imposed 133  
for a violation of section 2903.31 of the Revised Code, the 134  
criminal laws of this state, or for a violation of any other 135  
rule of the institution to which the individual or organization 136  
who committed the violation may be subject. 137

(C) Each institution shall provide a copy of the policy, 138  
including the institution's rules, penalties, and method to 139  
enforce the policy, to each organization within the institution. 140  
Additionally, each institution shall post the policy on the 141  
institution's publicly accessible web site. 142

(D) (1) Beginning in the 2022-2023 academic year, each 143  
institution shall maintain a report of all violations of the 144  
institution's policy adopted under division (B) of this section 145  
or other state law regarding hazing that are reported to the 146  
institution. Each institution shall post the report on its 147  
publicly accessible web site. Each report shall include all of 148  
the following: 149

(a) The name of the subject of the report; 150

(b) The date when the subject of the report was charged 151  
with a violation of the institution's policy or other state law 152  
regarding hazing; 153

(c) A general description of the violation, any 154  
investigation and findings by the institution, and any penalties 155  
imposed on the subject of the report; 156

(d) The date on which the matter was resolved. 157

(2) Each institution shall post the initial report issued 158  
under division (D) of this section on the institution's publicly 159  
accessible web site not later than January 15, 2023. Thereafter, 160  
each institution shall update the report on the first day of 161  
January and August of each year and shall post the updated 162  
report on the institution's publicly accessible web site. 163  
However, each institution shall retain reports for five 164  
consecutive years. 165

(3) The initial report issued under division (D) of this 166  
section shall include information concerning hazing violations 167  
that have been reported to the institution for the five 168  
consecutive years prior to the effective date of this section to 169  
the extent that the institution has retained information 170  
concerning the violations. 171

(4) Each report issued under division (D) of this section 172  
shall not include the personal identifying information of an 173  
individual and shall be subject to the "Family Educational 174  
Rights and Privacy Act of 1974," 20 U.S.C. 1232g. 175

(E) (1) Each institution shall provide students with an 176  
educational program on hazing, which shall include information 177  
regarding hazing awareness, prevention, intervention, and the 178  
institution's policy developed under division (B) of this 179  
section. The educational program may be conducted in-person or 180  
online. The institution must offer at least one opportunity for 181  
students to complete the program during a new student 182  
orientation session. Each institution shall verify each 183  
student's attendance at the program. Each institution shall 184  
prohibit a student who does not attend the program from 185  
participating in an organization recognized by or operating 186  
under the sanction of the institution until the student attends 187

the program. An organization shall not accept or initiate any 188  
person who has not attended the program. 189

(2) Each institution shall provide all staff and 190  
volunteers that advise or coach an organization recognized by or 191  
operating under the sanction of an institution and who have 192  
direct contact with students with mandatory training on hazing, 193  
which shall include information on hazing awareness, hazing 194  
prevention, and the institution's policy adopted under division 195  
(B) of this section. 196

(3) Each institution shall adopt rules requiring any 197  
organization recognized by or operating under the sanction of 198  
that institution to conduct mandatory training on hazing for any 199  
volunteer who has contact with students. 200

(4) Each institution shall ensure that the educational 201  
program and training prescribed under this division comply with 202  
the guidelines prescribed under division (B)(2) of section 203  
3333.0417 of the Revised Code. 204

(F) Nothing in this section shall be construed to create a 205  
private right of action against any individual or institution of 206  
higher education. 207

**Section 2.** That existing section 2903.31 of the Revised 208  
Code is hereby repealed. 209

**Section 3.** This act shall be known as Collin's Law: The 210  
Ohio Anti-Hazing Act. 211

**Section 4.** Nothing in this act shall be construed to 212  
create private right of action against any individual or 213  
institution of higher education. 214