

**As Passed by the Senate**

**134th General Assembly**

**Regular Session**

**2021-2022**

**S. B. No. 181**

**Senator Gavarone**

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

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**A BILL**

To enact section 3313.5317 of the Revised Code 1  
regarding student religious expression in 2  
interscholastic athletics and extracurricular 3  
activities. 4

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

**Section 1.** That section 3313.5317 of the Revised Code be 5  
enacted to read as follows: 6

**Sec. 3313.5317.** As used in this section, "wearing 7  
religious apparel" means the wearing of headwear, clothing, 8  
jewelry, or other coverings while observing a sincerely held 9  
religious belief. 10

(A) Except as provided in division (B) of this section, no 11  
public or nonpublic school, school district, interscholastic 12  
conference, or organization that regulates interscholastic 13  
athletics shall adopt a rule, bylaw, or other regulation that 14  
prohibits or creates any obstruction to wearing religious 15  
apparel when competing or participating in interscholastic 16

athletics or extracurricular activities, including requirements 17  
that participants obtain advanced approval, written waivers, or 18  
any other permission. 19

(B) A school or district, interscholastic conference, or 20  
organization that regulates interscholastic athletics may limit 21  
wearing religious apparel while competing or participating in 22  
interscholastic athletics or extracurricular activities if a 23  
legitimate danger to participants is identified due to wearing 24  
religious apparel. If such a danger is identified, the 25  
administrator or official of the event or activity shall offer 26  
all reasonable accommodations to the participant wearing 27  
religious apparel. 28

(C) A school or school district, member of a district 29  
board of education or governing authority, a district or school 30  
employee, member or employee of an interscholastic conference, 31  
or organization that regulates interscholastic athletics or 32  
employee of such an organization is not liable in damages in a 33  
civil action for injury, death, or loss to person or property 34  
allegedly arising from the school, district, board member or 35  
governing authority, district or school employee, 36  
interscholastic conference member or employee, or 37  
interscholastic athletics organization or organization employee 38  
executing any duties under this section unless the act or 39  
omission constitutes willful or wanton misconduct. 40

This division does not eliminate, limit, or reduce any 41  
other immunity or defense that a school or school district, 42  
member of a district board or governing authority, or a district 43  
or school employee may be entitled to under Chapter 2744. or any 44  
other provision of the Revised Code or under the common law of 45  
this state. 46

<u>(D) Whoever violates this section is subject to a civil</u>	47
<u>action for damages, injunctive relief, or any other appropriate</u>	48
<u>relief.</u>	49