

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 6**

**Representative Powell**

**Cosponsors: Representatives Hall, Jordan, Johnson, Click, Creech, Stewart, Merrin, LaRe, Kick, Stoltzfus, Lear, Wiggam, Schmidt, Barhorst, Stein, Miller, K., Klopfenstein, Gross, Thomas, J., Miller, M., King, Santucci, Willis, Demetriou, Mathews, Young, T., Manchester, Cutrona, Richardson, Plummer**

---

**A BILL**

To enact sections 3313.5319 and 3345.562 of the 1  
Revised Code to enact the Save Women's Sports 2  
Act to require schools, state institutions of 3  
higher education, and private colleges to 4  
designate separate single-sex teams and sports 5  
for each sex. 6

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

**Section 1.** That sections 3313.5319 and 3345.562 of the 7  
Revised Code be enacted to read as follows: 8

**Sec. 3313.5319.** (A) Each school that participates in 9  
athletic competitions or events administered by an organization 10  
that regulates interscholastic athletic conferences or events 11  
shall designate interscholastic athletic teams based on the sex 12  
of the participants as follows: 13

(1) Separate teams for participants of the female sex 14  
within female sports divisions; 15

(2) Separate teams for participants of the male sex within male sports divisions; 16  
17

(3) If applicable, co-ed teams for participants of the female and male sexes within co-ed sports divisions. 18  
19

(B) No school, interscholastic conference, or organization that regulates interscholastic athletics shall knowingly permit individuals of the male sex to participate on athletic teams or in athletic competitions designated only for participants of the female sex. 20  
21  
22  
23  
24

(C) Nothing in this section shall be construed to restrict the eligibility of any student to participate on any athletic teams or in athletic competitions that are designated as male or co-ed. 25  
26  
27  
28

(D) No agency or political subdivision of the state and no accrediting organization or athletic association that operates or has business activities in this state shall process a complaint, begin an investigation, or take any other adverse action against a school or school district for maintaining separate single-sex interscholastic athletic teams or sports. 29  
30  
31  
32  
33  
34

(E) (1) Any participant who is deprived of an athletic opportunity or suffers a direct or indirect harm as a result of a violation of this section has a private cause of action for injunctive relief, damages, and any other relief available against the school, school district, interscholastic conference, or organization that regulates interscholastic athletics. 35  
36  
37  
38  
39  
40

(2) Any participant who is subject to retaliation or other adverse action by a school, school district, interscholastic conference, or organization that regulates interscholastic athletics as a result of reporting a violation of this section 41  
42  
43  
44

has a private cause of action for injunctive relief, damages, 45  
and any other relief available against the entity that takes the 46  
retaliatory or other adverse action. 47

(3) Any school or school district that suffers any direct 48  
or indirect harm as a result of a violation of division (D) of 49  
this section has a private cause of action for injunctive 50  
relief, damages, and any other relief available against the 51  
agency, political subdivision, accrediting organization, or 52  
athletic association that violates that division. 53

(F) Any civil action brought as a result of a violation of 54  
this section shall be initiated within two years after the date 55  
on which the violation occurs. Persons or organizations who 56  
prevail on a claim brought pursuant to this section shall be 57  
entitled to monetary damages, including for any psychological, 58  
emotional, or physical harm suffered, reasonable attorney's fees 59  
and costs, and any other appropriate relief. 60

**Sec. 3345.562.** (A) As used in this section: 61

(1) "Private college" means a nonprofit institution that 62  
holds a certificate of authorization issued under section 63  
1713.02 of the Revised Code; 64

(2) "State institution of higher education" has the same 65  
meaning as in section 3345.011 of the Revised Code. 66

(B) Each state institution of higher education or private 67  
college that is a member of the national collegiate athletics 68  
association, the national association of intercollegiate 69  
athletics, or the national junior college association shall 70  
designate intercollegiate athletic teams and sports based on the 71  
sex of the participants as follows: 72

(1) Separate teams for participants of the female sex 73

<u>within female sports divisions;</u>	74
<u>(2) Separate teams for participants of the male sex within male sports divisions;</u>	75 76
<u>(3) If applicable, co-ed teams for participants of the female and male sexes within co-ed sports divisions.</u>	77 78
<u>(C) No state institution or private college to which division (B) of this section applies shall knowingly allow individuals of the male sex to participate on athletic teams or in athletic competitions designated for only participants of the female sex.</u>	79 80 81 82 83
<u>(D) Nothing in this section shall be construed to restrict the eligibility of any student to participate on any athletic teams or in athletic competitions that are designated as male or co-ed.</u>	84 85 86 87
<u>(E) No agency or political subdivision of the state and no accrediting organization or athletic association that operates or has business activities in this state shall process a complaint, begin an investigation, or take any other adverse action against a state institution of higher education or private college for maintaining separate single-sex intercollegiate athletic teams or sports for participants of the female sex.</u>	88 89 90 91 92 93 94 95
<u>(F) (1) Any participant who is deprived of an athletic opportunity or suffers a direct or indirect harm as a result of a violation of this section has a private cause of action for injunctive relief, damages, and any other relief available against the state institution or the private college.</u>	96 97 98 99 100
<u>(2) Any participant who is subject to retaliation or other adverse action by a state institution, private college, or</u>	101 102

athletic association as a result of reporting a violation of 103  
this section has a private cause of action for injunctive 104  
relief, damages, and any other relief available against the 105  
entity that takes the retaliatory or other adverse action. 106

(3) Any state institution or private college that suffers 107  
any direct or indirect harm as a result of a violation of 108  
division (E) of this section has a private cause of action for 109  
injunctive relief, damages, and any other relief available 110  
against the agency, political subdivision, accrediting 111  
organization, or athletic association that violates that 112  
division. 113

(G) Any civil action brought as a result of a violation of 114  
this section shall be initiated within two years after the date 115  
on which the violation occurs. Persons or organizations who 116  
prevail on a claim brought pursuant to this section shall be 117  
entitled to monetary damages, including for any psychological, 118  
emotional, or physical harm suffered, reasonable attorney's fees 119  
and costs, and any other appropriate relief. 120

**Section 2.** This act shall be known as the Save Women's 121  
Sports Act. 122