

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 538

Representatives Callender, Mathews, A.

Cosponsor: Representative Piccolantonio

To amend sections 3773.33, 3773.34, 3773.35, 1
3773.36, 3773.37, 3773.38, 3773.39, 3773.40, 2
3773.41, 3773.42, 3773.421, 3773.43, 3773.45, 3
3773.51, 3773.52, 3773.53, 3773.54, 3773.55, 4
3773.56, 3773.57, 3773.59, 4771.02, 4771.05, 5
4771.07, 4771.08, 4771.09, 4771.10, 4771.11, 6
4771.12, 4771.13, 4771.14, 4771.16, 4771.18, 7
4771.21, 4771.22, and 4771.23 of the Revised 8
Code to place the Ohio Athletics Commission 9
within the Department of Commerce, to modify the 10
Commission's functions, and to make an 11
appropriation. 12

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

Section 1. That sections 3773.33, 3773.34, 3773.35, 13
3773.36, 3773.37, 3773.38, 3773.39, 3773.40, 3773.41, 3773.42, 14
3773.421, 3773.43, 3773.45, 3773.51, 3773.52, 3773.53, 3773.54, 15
3773.55, 3773.56, 3773.57, 3773.59, 4771.02, 4771.05, 4771.07, 16
4771.08, 4771.09, 4771.10, 4771.11, 4771.12, 4771.13, 4771.14, 17
4771.16, 4771.18, 4771.21, 4771.22, and 4771.23 of the Revised 18
Code be amended to read as follows: 19

Sec. 3773.33. (A) There is hereby created the Ohio 20

athletic commission, which is a part of the department of 21
commerce for administrative purposes. The director of commerce 22
shall appoint an employee of the department as the administrator 23
of athletics to act as executive officer of the commission. The 24
administrator shall serve at the pleasure of the director. 25

The commission shall consist of five voting members 26
appointed by the governor with the advice and consent of the 27
senate, not more than three of whom shall be of the same 28
political party, and two nonvoting members, one of whom shall be 29
a member of the senate appointed by and to serve at the pleasure 30
of the president of the senate and one of whom shall be a member 31
of the house of representatives appointed by and to serve at the 32
pleasure of the speaker of the house of representatives. To be 33
eligible for appointment as a voting member, a person shall be a 34
qualified elector and a resident of the state for not less than 35
five years immediately preceding the person's appointment. Two 36
voting members shall be knowledgeable in boxing and mixed 37
martial arts. One commission member shall hold the degree of 38
doctor of medicine or doctor of osteopathy. 39

(B) No person shall be appointed to the commission or be 40
an employee of the commission who is licensed, registered, or 41
regulated by the commission. No member shall have any legal or 42
beneficial interest, direct or indirect, pecuniary or otherwise, 43
in any person who is licensed, registered, or regulated by the 44
commission or who participates in prize fights or public boxing 45
or wrestling matches or exhibitions. No member shall participate 46
in any fight, match, or exhibition other than in the member's 47
official capacity as a member of the commission, ~~or as an~~ 48
~~inspector as authorized in section 3773.52 of the Revised Code.~~ 49

(C) The governor shall appoint the voting members to the 50

commission. Of the initial appointments, two shall be for terms 51
ending one year after September 3, 1996, two shall be for terms 52
ending two years after September 3, 1996, and one shall be for a 53
term ending three years after September 3, 1996. Thereafter, 54
terms of office shall be for three years, each term ending the 55
same day of the same month of the year as did the term which it 56
succeeds. Each member shall hold office from the date of the 57
member's appointment until the end of the term for which the 58
member was appointed. Any member appointed to fill a vacancy 59
occurring prior to the expiration of the term for which the 60
member's predecessor was appointed shall hold office for the 61
remainder of the term. Any member shall continue in office 62
subsequent to the expiration date of the member's term until the 63
member's successor takes office. 64

The governor shall name one voting member as chairperson 65
of the commission at the time of making the appointment of any 66
member for a full term. Three voting members shall constitute a 67
quorum, and the affirmative vote of the majority of voting 68
members shall be necessary for any action taken by the 69
commission. No vacancy on the commission impairs the authority 70
of the remaining members to exercise all powers of the 71
commission. 72

Voting members, when engaged in commission duties, shall 73
receive a per diem compensation determined in accordance with 74
division (J) of section 124.15 of the Revised Code, and all 75
members shall receive their actual and necessary expenses 76
incurred in the performance of their official duties. 77

Each voting member, before entering upon the discharge of 78
the member's duties, shall file a surety bond payable to the 79
treasurer of state in the sum of ten thousand dollars. Each 80

surety bond shall be conditioned upon the faithful performance 81
of the duties of the office, executed by a surety company 82
authorized to transact business in this state, and filed in the 83
office of the secretary of state. 84

The governor may remove any voting member for malfeasance, 85
misfeasance, or nonfeasance in office after giving the member a 86
copy of the charges against the member and affording the member 87
an opportunity for a public hearing, at which the member may be 88
represented by counsel, upon not less than ten days' notice. If 89
the member is removed, the governor shall file a complete 90
statement of all charges made against the member and the 91
governor's finding on the charges in the office of the secretary 92
of state, together with a complete report of the proceedings. 93
The governor's decision shall be final. 94

Sec. 3773.34. (A) The Ohio athletic commission shall adopt 95
and may amend or rescind rules in accordance with Chapter 119. 96
of the Revised Code, prescribing the conditions under which 97
prize fights and public boxing or wrestling matches or 98
exhibitions may be conducted, classifying professional boxers by 99
weight, and providing for the administration of sections 3773.31 100
to 3773.57 of the Revised Code. The rules may require that an 101
applicant for a contestant's license to participate in a public 102
boxing match or exhibition take an HIV test, as defined in 103
section 3701.24 of the Revised Code, before being issued the 104
contestant's license and may require that a licensed contestant 105
take such an HIV test before participating in a public boxing 106
match or exhibition. The commission, or the ~~commission's~~ 107
~~executive director~~ administrator of athletics when authorized by 108
the commission, may issue, deny, suspend, or revoke permits to 109
hold prize fights and public boxing or wrestling matches or 110
exhibitions. The commission, or the administrator when 111

authorized by the commission, may issue, deny, suspend, or 112
revoke licenses to persons engaged in any public boxing match or 113
exhibition as authorized by sections 3773.31 to 3773.57 of the 114
Revised Code. 115

(B) In addition to the duties set forth in this chapter, 116
the Ohio athletic commission and the administrator shall take 117
action as necessary to carry out the provisions of Chapter 4771. 118
of the Revised Code governing athlete agents. 119

(C) On or before the thirty-first day of December of each 120
year, the commission shall make a report to the governor of its 121
proceedings for the year ending on the first day of December of 122
that calendar year, and may include in the report any 123
recommendations pertaining to its duties. 124

Sec. 3773.35. Any person who wishes to conduct a public or 125
private competition that involves boxing, wrestling, mixed 126
martial arts, kick boxing, tough man contests, tough guy 127
contests, or any other form of boxing or martial arts shall 128
apply to the ~~Ohio athletic commission~~ administrator of athletics 129
for a promoter's license. Each application shall be filed with 130
the ~~commission~~ administrator on forms provided by the 131
~~commission~~ administrator, and shall be accompanied by an 132
application fee as prescribed in section 3773.43 of the Revised 133
Code and, with the exception of wrestling events, by a surety 134
bond of not less than twenty thousand dollars conditioned for 135
compliance with sections 3773.31 to 3773.57 of the Revised Code 136
and the rules of the Ohio athletic commission. 137

The commission shall prescribe the form of the application 138
for the promoter's license. The application shall include the 139
name of the applicant, the post office address of the applicant, 140
and any other information the commission requires. 141

Sec. 3773.36. (A) Upon the proper filing of an application 142
to conduct any public or private competition that involves 143
boxing, mixed martial arts, kick boxing, tough man contests, 144
tough guy contests, or any other form of boxing or martial arts, 145
accompanied by the surety bond and the application fee, or upon 146
the proper filing of an application to conduct any public or 147
private competition that involves wrestling accompanied by the 148
application fee, the ~~Ohio athletic commission~~ administrator of 149
athletics shall issue a promoter's license to the applicant if 150
~~it~~ the administrator finds that the applicant is not in default 151
on any payment, obligation, or debt payable to the state under 152
sections 3773.31 to 3773.57 of the Revised Code, is financially 153
responsible, and is knowledgeable in the proper conduct of such 154
matches or exhibitions. 155

(B) Notwithstanding the requirements for a license under 156
division (A) of this section, the ~~commission~~ administrator shall 157
issue a promoter's license in accordance with Chapter 4796. of 158
the Revised Code to an applicant if either of the following 159
applies: 160

(1) The applicant holds a license in another state. 161

(2) The applicant has satisfactory work experience, a 162
government certification, or a private certification as 163
described in that chapter as a promoter in a state that does not 164
issue that license. 165

(C) Each license issued pursuant to this section shall 166
bear the name of the licensee, the post office address of the 167
licensee, the date of expiration, an identification number 168
designated by the ~~commission~~ administrator, and the seal of the 169
~~commission~~ department of commerce. 170

(D) A promoter's license shall expire twelve months after 171
its date of issuance and shall become invalid on that date 172
unless renewed. A promoter's license may be renewed upon 173
application to the ~~commission~~ administrator and upon payment of 174
the renewal fee prescribed in section 3773.43 of the Revised 175
Code. The ~~commission~~ administrator shall renew the license 176
unless ~~it~~ the administrator denies the application for renewal 177
for one or more reasons stated in section 3123.47 or 3773.53 of 178
the Revised Code. 179

Sec. 3773.37. The ~~Ohio athletic commission~~ administrator 180
of athletics shall cause a photograph with identification of any 181
person signing the application for a license under section 182
3773.35 or 3773.41 of the Revised Code to be taken in duplicate 183
and filed with the commission. For purposes of this section, 184
the ~~commission~~ administrator may allow a photograph with 185
identification to be a photocopy of a valid commercial driver's 186
license issued under Chapter 4506. or a driver's license issued 187
under Chapter 4507. of the Revised Code. 188

Sec. 3773.38. Each person who holds a promoter's license 189
issued under section 3773.36 of the Revised Code who desires to 190
conduct a public boxing or wrestling match or exhibition where 191
one or more contests are to be held shall obtain a permit from 192
the Ohio athletic commission or the ~~commission's executive~~ 193
~~director~~ administrator of athletics when the ~~executive director~~ 194
administrator is authorized by the commission to issue those 195
types of permits. Application for such a permit shall be made in 196
writing and on forms prescribed by the commission, shall be 197
filed with the commission or the administrator, and shall be 198
accompanied by the permit fee prescribed in section 3773.43 of 199
the Revised Code. 200

The application for a permit issued under this section 201
shall include the date and starting time of the match or 202
exhibition, the address of the place where the match or 203
exhibition is to be held, the names of the contestants, the 204
seating capacity of the building or hall where the exhibition is 205
to be held, the admission charge or any other charges, the 206
amount of compensation or the percentage of gate receipts to be 207
paid to each contestant, the name and address of the applicant, 208
a copy of the current official rules that govern the particular 209
sport, and the serial number of the applicant's promoter's 210
license. 211

The commission, or the ~~commission's executive director~~ 212
administrator when authorized by the commission, may require the 213
applicant to deposit with the commission or the administrator 214
before a public boxing match or exhibition a cash bond, 215
certified check, bank draft, or surety bond in an amount equal 216
to five per cent of the estimated gross receipts from the match 217
or exhibition. 218

Sec. 3773.39. (A) Upon receipt of an application for a 219
permit to hold a public boxing or wrestling match or exhibition 220
under section 3773.38 of the Revised Code, the Ohio athletic 221
commission, or the ~~commission's executive director~~ administrator 222
of athletics when authorized by the commission, shall determine 223
if the applicant holds a valid promoter's license issued 224
pursuant to section 3773.36 of the Revised Code. Upon receipt of 225
an application for a permit to hold a public boxing match or 226
exhibition, the commission, or the ~~commission's executive~~ 227
~~director~~ administrator when authorized by the commission, also 228
shall determine if the contestants are evenly and fairly matched 229
according to skill, experience, and weight so as to produce a 230
fair and sportsmanlike contest, and whether the applicant is 231

financially responsible and is able to pay to each contestant 232
the compensation or percentage of the gate receipts named in the 233
application. The commission, or the ~~commission's executive~~ 234
~~director~~ administrator when authorized by the commission, may, 235
if applicable, require the applicant to deposit with it within 236
forty-eight hours before the match or exhibition the total 237
compensation or estimated portion of gate receipts to be paid 238
all contestants named in the application made under section 239
3773.38 of the Revised Code. 240

(B) If the commission, or the ~~commission's executive~~ 241
~~director~~ administrator when authorized by the commission, 242
determines that the applicant has met all the requirements 243
specified in division (A) of this section, the commission or 244
~~executive director~~ the administrator shall issue the applicant a 245
permit to conduct the match or exhibition. If the applicant 246
fails to deposit any compensation or portion of gate receipts 247
required by the commission, or ~~executive director~~ the 248
administrator before the first contest of the match or 249
exhibition is held, the commission, or the ~~commission's~~ 250
~~executive director~~ administrator when authorized by the 251
commission, may revoke the permit and order the applicant not to 252
conduct the match or exhibition described in the permit. 253

(C) Each permit issued pursuant to this section shall bear 254
the name and post office address of the applicant, the address 255
of the place where the public boxing or wrestling match or 256
exhibition is to be held, the date and starting time of the 257
match or exhibition, and a serial number designated by the 258
commission or the administrator when authorized by the 259
commission. 260

A permit issued under this section shall allow the permit 261

holder to conduct only the match or exhibition named in the 262
permit. A permit is not transferable. 263

Sec. 3773.40. No person who holds a promoter's license to 264
conduct a public boxing match or exhibition under section 265
3773.36 of the Revised Code shall: 266

(A) Hold any match or exhibition at any time or place 267
other than that stated on a permit issued under section 3773.38 268
of the Revised Code; 269

(B) Allow any contestant to participate in the match or 270
exhibition unless the contestant is the licensed contestant 271
named in the application for such permit or a licensed 272
contestant authorized to compete as a substitute for such a 273
contestant by the inspector assigned to the facility where the 274
match or exhibition is held for that match or exhibition; 275

(C) Charge a higher admission price for a match or 276
exhibition than that stated in the application; 277

(D) Pay a greater compensation or percentage of the gate 278
receipts to any contestant than that stated in the application. 279

The Ohio athletic commission, or the ~~commission's~~ 280
~~executive director~~ administrator of athletics when authorized by 281
the commission, upon application by a holder of a permit under 282
section 3773.38 of the Revised Code, may allow the permit holder 283
to hold the match or exhibition for which the permit was issued 284
at an alternative site that is within the same municipal 285
corporation or township and that offers substantially similar 286
seating facilities, or allow the permit holder to substitute 287
contestants or seconds, provided that the substitute contestants 288
are evenly matched with their opponents in skill, experience, 289
and weight. 290

Sec. 3773.41. Any person who desires to participate in a 291
public boxing match, mixed martial arts event, or any other 292
unarmed combat sport regulated by the Ohio athletic commission 293
as a referee, judge, matchmaker, timekeeper, or contestant, or 294
as a manager, trainer, or second of a contestant, shall apply 295
for a license from the ~~Ohio athletic commission~~administrator of 296
athletics. The application shall be on forms provided by the 297
~~commission~~administrator. Each application shall be accompanied 298
by the application fee prescribed in section 3773.43 of the 299
Revised Code. The applicant shall verify the application under 300
oath. 301

The commission shall prescribe the form of the application 302
for a participant's license. The application shall include the 303
correct and ring or assumed name, if any, of the applicant, the 304
applicant's address, the applicant's date and place of birth, 305
the applicant's occupation, and a copy of the applicant's win 306
and loss record as a contestant, if applicable. 307

Sec. 3773.42. Upon the proper filing of an application for 308
a referee's, judge's, matchmaker's, timekeeper's, manager's, 309
trainer's, contestant's, or second's license and payment of the 310
applicable application fee, the ~~Ohio athletic commission~~ 311
administrator of athletics shall issue the license to the 312
applicant if ~~it~~ the administrator determines that the applicant 313
is not likely to engage in acts detrimental to the fair and 314
honest conduct of public boxing matches, mixed martial arts 315
events, or any other unarmed combat sports regulated by the Ohio 316
athletic commission and is qualified to hold such a license by 317
reason of the applicant's knowledge and experience. 318

A person shall not be determined to possess the knowledge 319
and experience necessary to qualify that person to hold a 320

referee's license unless all of the following conditions are 321
met: 322

(A) The person has completed such referee training 323
requirements as the commission prescribes by rule. 324

(B) The person possesses such experience requirements as 325
the commission prescribes by rule. 326

The ~~commission~~administrator shall issue a referee's 327
license to each person who meets the requirements of divisions 328
(A) and (B) of this section. 329

If upon the proper filing of an application for a 330
contestant's license the ~~commission~~administrator determines 331
that the applicant is not likely to engage in acts detrimental 332
to the conduct of public boxing matches, mixed martial arts 333
events, or any other unarmed combat sports regulated by the 334
commission and possesses sufficient knowledge and experience, 335
the ~~commission~~administrator shall issue the license to the 336
applicant. 337

Each license issued pursuant to this section shall bear 338
the correct name, or assumed name, if any, of the licensee, the 339
address of the licensee, the date of issue, and a number 340
designated by the ~~commission~~administrator. 341

A license issued pursuant to this section shall expire 342
twelve months after its date of issue unless renewed. Upon 343
application for renewal and payment of the renewal fee 344
prescribed in section 3773.43 of the Revised Code, the 345
~~commission~~administrator shall renew the license unless ~~it~~the 346
administrator denies the application for one or more reasons 347
stated in section 3123.47 or 3773.53 of the Revised Code. 348

Sec. 3773.421. The ~~Ohio athletic commission~~administrator 349

of athletics shall issue a referee's, judge's, matchmaker's, 350
timekeeper's, manager's, trainer's, contestant's, or second's 351
license in accordance with Chapter 4796. of the Revised Code to 352
an applicant if either of the following applies: 353

(A) The applicant holds a license in another state. 354

(B) The applicant has satisfactory work experience, a 355
government certification, or a private certification as 356
described in that chapter as a referee, judge, matchmaker, 357
timekeeper, manager, trainer, contestant, or second in a state 358
that does not issue that license. 359

Sec. 3773.43. The Ohio athletic commission and the 360
administrator of athletics shall charge the following fees: 361

(A) For an application for or renewal of a promoter's 362
license for a public or private competition that involves 363
boxing, mixed martial arts, kick boxing, tough man contests, 364
tough guy contests, or any other form of boxing or martial arts, 365
one hundred dollars. 366

(B) For an application for or renewal of a license to 367
participate in a public boxing match or exhibition as a 368
contestant, or as a referee, judge, matchmaker, manager, 369
timekeeper, trainer, or second of a contestant, twenty dollars. 370

(C) For a permit to conduct a public boxing match or 371
exhibition, fifty dollars. 372

(D) For an application for or renewal of a promoter's 373
license for a public or private competition that involves 374
wrestling, two hundred dollars. 375

(E) For a permit to conduct a professional wrestling match 376
or exhibition, one hundred dollars. 377

The commission, subject to the approval of the controlling board, may establish fees in excess of the amounts provided in this section, provided that such fees do not exceed the amounts permitted by this section by more than fifty per cent.

The fees prescribed by this section shall be paid to the treasurer of state, who shall deposit the fees in the occupational licensing and regulatory fund.

Sec. 3773.45. (A) The Ohio athletic commission shall adopt, and may amend or rescind, rules that do both of the following:

(1) Require the physical examination by appropriate medical personnel of each contestant in any public competition that involves boxing, mixed martial arts, kick boxing, karate, tough man contests, or any other form of boxing or martial arts within a specified time period before and after the competition to determine whether the contestant is physically fit to compete in the competition under specified standards, has sustained physical injuries in the competition, or requires follow-up examination; and

(2) Require the reporting of each examination to the ~~commission~~administrator of athletics.

(B) No holder of a promoter's license shall conduct a boxing match or exhibition that exceeds twelve rounds. Each round shall be not more than three minutes in length. A period of at least one minute, during which no boxing or sparring takes place, shall occur between rounds.

No holder of a promoter's license or a permit issued under section 3773.39 of the Revised Code shall allow a professional boxer to participate in more than twelve rounds of boxing within

a period of seventy-two consecutive hours. For any match or 407
exhibition or for a class of contestants, the commission may 408
limit the number of rounds within the maximum of twelve rounds. 409

(C) No person shall conduct a boxing match or exhibition 410
unless a licensed referee appointed by the ~~commission~~ 411
administrator and paid by the person is present. The referee 412
shall direct and control the match or exhibition. Before each 413
match or exhibition the referee shall obtain from each 414
contestant the name of the contestant's chief second and shall 415
hold the chief second responsible for the conduct of any 416
assistant seconds during the match or exhibition. The referee 417
may declare a prize, remuneration, or purse or any part thereof 418
to which a contestant is otherwise entitled withheld if, in the 419
referee's judgment, the contestant is not competing or did not 420
compete honestly. A contestant may appeal the referee's decision 421
in a hearing before the commission conducted in accordance with 422
section 3773.52 of the Revised Code. 423

(D) No person shall hold or conduct a boxing match or 424
exhibition unless three licensed judges appointed by the 425
~~commission~~ administrator and paid by the person are present. 426
Each judge shall render a decision at the end of each match or 427
exhibition. The judges shall determine the outcome of the match 428
or exhibition, and their decision shall be final. 429

(E) Each contestant in a boxing match or exhibition shall 430
wear gloves weighing not less than six ounces during the boxing 431
match or exhibition. 432

Sec. 3773.51. The ~~Ohio athletic commission~~ director of 433
commerce shall appoint from among licensed referees, physicians, 434
timekeepers, and judges the officials for public boxing matches 435
and exhibitions held under sections 3773.31 to 3773.57 of the 436

Revised Code. These officials shall be employed by the 437
~~commission~~ director as provided in section 3773.56 of the 438
Revised Code and shall be paid by the person conducting the 439
match or exhibition. 440

Sec. 3773.52. The ~~Ohio athletic commission~~ director of 441
commerce shall employ inspectors to attend each public boxing 442
match or exhibition held under a permit issued under section 443
3773.38 of the Revised Code. Only one inspector shall be 444
assigned to any one facility for any one match or exhibition. 445
~~Any member of the commission may act as an inspector, and when~~ 446
~~acting as an inspector shall be paid as provided in this~~ 447
~~section.~~ 448

The inspector shall monitor the sale of tickets from the 449
premises box office on the day of the match or exhibition and, 450
immediately following the counting of the gross proceeds, obtain 451
a box office statement from the person conducting the match or 452
exhibition and mail it to the ~~commission~~ administrator of 453
athletics. The inspector shall have complete access to any 454
books, records, and papers pertaining to the match or 455
exhibition. 456

The inspector shall give bond in the sum of five thousand 457
dollars with sufficient sureties to be approved by and made 458
payable to the treasurer of state. The bond shall be filed with 459
the secretary of state. The compensation of such inspector for 460
attending a match or exhibition, and the inspector's actual and 461
necessary travel expenses, shall be charged to the holder of the 462
permit at whose facility the inspector serves. The inspector 463
shall be paid a salary fixed in accordance with Chapter 124. of 464
the Revised Code. 465

The inspector may order a prize, remuneration, purse, or 466

any part thereof withheld from a contestant if the inspector 467
believes the contestant did not compete to the best of the 468
contestant's ability. The inspector shall file any charges with 469
the commission which shall hold an adjudication under Chapter 470
119. of the Revised Code and issue a final order within thirty 471
days after the inspector files charges. 472

If the commission finds that the contestant did not 473
compete to the best of the contestant's ability, it, or the 474
administrator when authorized by the commission, may revoke the 475
contestant's license. When a license is so revoked, any prize, 476
remuneration, purse, or part thereof that the contestant 477
otherwise would have received shall be paid to the commission 478
and shall become the property of the state. 479

Sec. 3773.53. ~~The~~ On receiving a complaint of a violation 480
of sections 3773.31 to 3773.57 of the Revised Code or a rule 481
adopted by the Ohio athletic commission, the commission shall 482
conduct an investigation of the complaint. If the commission 483
finds reasonable cause to believe a violation occurred, the 484
commission shall conduct a hearing in accordance with Chapter 485
119. of the Revised Code to determine if a violation occurred. 486
If the commission finds a violation occurred, the commission may 487
revoke, or suspend, or ~~or~~ and the administrator of athletics may 488
refuse to renew, any license issued under sections 3773.31 to 489
3773.57 of the Revised Code in accordance with Chapter 119. of 490
the Revised Code if the licensee: 491

(A) Has committed an act detrimental to any sport 492
regulated by this chapter or to the public interest, 493
convenience, or necessity; 494

(B) Is associating or consorting with any person who has 495
been convicted of a crime involving the sports regulated by the 496

commission, including a conviction under ~~sections~~section 2913.02, 2915.05, or 2921.02 of the Revised Code; 497
498

(C) Is or has been consorting with bookmakers or gamblers, 499
or has engaged in similar pursuits; 500

(D) Is financially irresponsible; 501

(E) Has been found guilty of any fraud or 502
misrepresentation in connection with any sport regulated by this 503
chapter; 504

(F) Has violated any law with respect to any sport 505
regulated by this chapter or any rule or order of the 506
commission; 507

(G) Has been convicted of or pleaded guilty to a violation 508
of ~~sections~~section 2913.02, 2915.05, or 2921.02 of the Revised 509
Code; 510

(H) Has engaged in any other activity that the commission 511
determines is detrimental to any sport regulated by this 512
chapter; 513

(I) Has otherwise violated sections 3773.31 to 3773.57 of 514
the Revised Code or any rules adopted under those sections. 515

The commission, in accordance with Chapter 119. of the 516
Revised Code and in addition to any other action it may take 517
under this chapter, may impose a fine in an amount to be 518
determined by rule of the commission adopted under Chapter 119. 519
of the Revised Code against any person licensed under sections 520
3773.31 to 3773.57 of the Revised Code for a violation of any of 521
these sections or a violation of any rule or order of the 522
commission. The amount of fines collected shall be deposited 523
into the general revenue fund. 524

Sec. 3773.54. No person who conducts a public boxing match 525
or exhibition to which sections 3773.31 to 3773.57 of the 526
Revised Code apply shall fail to mail to the ~~Ohio athletic-~~ 527
~~commission~~ administrator of athletics a written report that 528
shows the number of tickets sold for the match or exhibition and 529
the amount of gross proceeds within twenty-four hours after the 530
determination of the outcome of the match or exhibition. The 531
person shall pay to the ~~commission~~ administrator a tax of five 532
per cent of the gross proceeds from the sale of tickets to the 533
match or exhibition. The Ohio athletic commission shall adopt 534
rules concerning the time of payment of such taxes. Such taxes 535
shall be levied for the purpose of providing revenue with which 536
the state may regulate boxing, kick boxing, karate, tough man 537
contests or tough guy contests, wrestling, and any other form of 538
boxing or martial arts. 539

The ~~commission~~ administrator, before granting a promoter's 540
license under section 3773.36 of the Revised Code to any person 541
other than a promoter of professional wrestling, shall obtain 542
from the applicant a bond in the sum of not less than one 543
thousand dollars, to be approved in form and sufficiency of its 544
sureties by the treasurer of state. The bond shall be payable to 545
the treasurer of state and shall be conditioned for the payment 546
of the tax imposed by this section. Upon the filing and approval 547
of the bond, the treasurer of state shall issue to the applicant 548
two copies of a certificate verifying the filing and approval. 549
The applicant shall file one copy in the office of the 550
~~commission~~ administrator with the license application. No 551
license shall be issued until the certificate is filed. 552

Sec. 3773.55. If any person fails to make a report 553
relating to a public boxing match or exhibition that is required 554
under sections 3773.31 to 3773.57 of the Revised Code, or files 555

a report under section 3773.54 of the Revised Code that the ~~Ohio~~ 556
~~athletic commission administrator~~ of athletics finds 557
unsatisfactory, the ~~commission administrator~~ may examine or 558
cause to be examined the books and records of such person. The 559
~~commission administrator~~ may also subpoena and examine under 560
oath any persons to determine the amount of gross proceeds for a 561
match or exhibition and the amount of tax due. 562

If a person who conducts a public boxing match or 563
exhibition under sections 3773.31 to 3773.57 of the Revised Code 564
does not pay the tax due on or before the date prescribed by the 565
~~commission administrator~~, the person shall pay interest on the 566
amount of tax due at a rate of five per cent per month, up to a 567
maximum of twenty-five per cent. The ~~commission administrator~~ 568
shall send a notice of delinquency to such a taxpayer. A 569
delinquent taxpayer may be disqualified from receiving a new 570
license. Any delinquent taxpayer who does not pay the tax due 571
and the interest on it within twenty days after the notice of 572
delinquency was mailed is in default on such taxes and interest. 573
Any expenses incurred by the ~~commission administrator~~ in making 574
examinations of the books and records of a taxpayer who is in 575
default on such taxes and interest for a period of twenty days 576
after the default occurred shall be paid by the taxpayer. The 577
attorney general shall institute suit upon the bond filed 578
pursuant to section 3773.35 of the Revised Code by a person who 579
has defaulted on such taxes, interest, and expenses in order to 580
recover such taxes, interest, and expenses. 581

Sec. 3773.56. The ~~Ohio athletic commission director of~~ 582
~~commerce~~ may appoint an executive director and employ such 583
persons as are necessary to administer sections 3773.31 to 584
3773.57 and Chapter 4771. of the Revised Code and fix their 585
compensation. Such ~~executive director and employees~~ shall serve 586

in the unclassified status and at the pleasure of the 587
~~commission~~director. 588

All receipts received by the Ohio athletic commission or 589
the administrator of athletics under sections 3773.31 to 3773.57 590
of the Revised Code shall be deposited in the occupational 591
licensing and regulatory fund. All vouchers of the commission 592
shall be approved by the chairperson of the commission. 593

Sec. 3773.57. The Ohio athletic commission and the 594
~~commission's executive director~~administrator of athletics shall 595
not issue a license or permit to conduct public boxing or 596
wrestling matches or exhibitions in a municipal corporation or 597
the unincorporated portion of a township if the commission or 598
the ~~commission's executive director~~administrator determines 599
that the legislative authority of the municipal corporation or 600
board of township trustees has in effect an ordinance or 601
resolution prohibiting such matches or exhibitions. 602

Sec. 3773.59. On receipt of a notice pursuant to section 603
3123.43 of the Revised Code, the Ohio athletic commission and 604
the administrator of athletics shall comply with sections 605
3123.41 to 3123.50 of the Revised Code and any applicable rules 606
adopted under section 3123.63 of the Revised Code with respect 607
to a license issued pursuant to this chapter. 608

Sec. 4771.02. (A) No athlete agent shall enter into an 609
agent contract with an athlete unless the agent complies with 610
all of the following agent contract requirements: 611

(1) The agent contract is in writing on a form approved by 612
the Ohio athletic commission and includes all agreements between 613
the parties. 614

(2) The agent contract includes in boldface, twelve-point 615

type, on the initial page of the agent contract, the following 616
language: 617

"The athlete agent entering this agreement is registered 618
to serve as an athlete agent ~~with the Ohio athletic~~ 619
~~commission~~under Chapter 4771. of the Revised Code. Registration 620
of an athlete agent under ~~Chapter 4771. of the Revised Code~~that 621
chapter does not imply approval by the commission of the terms 622
and conditions of this contract or the competence of the athlete 623
agent." 624

(3) The agent contract includes the following language in 625
boldface, twelve-point type, near the space provided for an 626
athlete to sign or otherwise acknowledge agreement to the terms 627
of the contract: 628

"Warning to the student athlete: when you sign this 629
contract, you may immediately lose your eligibility to compete 630
in any amateur or intercollegiate athletics. Accordingly, you 631
must give written notice that you have entered into this 632
contract to the athletic director or person of similar position 633
at the educational institution or institution of higher 634
education in which you are enrolled, or to which you have 635
formally acknowledged your plans to attend, prior to the earlier 636
of participating in or practicing for an officially sanctioned 637
athletic competition or intercollegiate athletic event, or 638
seventy-two hours after entering into this contract. 639

Do not sign this contract until you have read it and 640
filled in any blank spaces. Under Ohio law, as a student athlete 641
signing this contract, you have the right to rescind this 642
contract for a period of up to ten days after the latest of the 643
following occurrences: 644

- (a) The date the contract is signed; 645
- (b) The date the athletic director or person of similar 646
position at the educational institution or institution of higher 647
education in which you are enrolled, or have acknowledged plans 648
to attend, receives notice of this contract; or 649
- (c) The last date you participate in an officially 650
sanctioned athletic competition or intercollegiate athletic 651
event if no notice of this contract is provided to the athletic 652
director or person of similar position. 653
- Despite cancellation of this contract, the educational 654
institution, institution of higher education, or intercollegiate 655
athletic association or conference to which your institution of 656
higher education belongs may not restore your eligibility to 657
participate in amateur or intercollegiate athletics. If you sign 658
this contract prior to the last officially sanctioned athletic 659
competition or intercollegiate athletic event you participate in 660
and fail to notify your institution of this contract, your 661
athletic team may be required to forfeit all games in which you 662
participated after signing. Such action also may cause your 663
athletic team to be declared ineligible for post-season play." 664
- (4) The athlete agent agrees in the agent contract to 665
provide written notice of the agent contract to the athletic 666
director or person of similar position at the educational 667
institution or institution of higher education in which the 668
athlete is enrolled prior to the earlier of the time the athlete 669
next participates in or practices for an officially sanctioned 670
athletic competition or intercollegiate athletic event after 671
entering that agent contract, or seventy-two hours after 672
entering that agent contract. 673

(5) All terms and conditions contained in the agent 674
contract comply with state and federal law. 675

(B) A provision in an agent contract that provides for the 676
resolution of any controversy in connection with the contract by 677
arbitration is void and unenforceable unless both of the 678
following apply: 679

(1) The provision is contained in an agent contract 680
between an athlete agent and an athlete for whom the athlete 681
agent undertakes to secure employment. 682

(2) The provision is included in the agent contract 683
pursuant to a rule, regulation, or contract of a bona fide labor 684
union or organization that regulates the relations of its 685
members with athlete agents. 686

(C) An athlete and athlete agent who enter an agent 687
contract each shall provide written notice of that agent 688
contract to the athletic director or person of similar position 689
at the educational institution or institution of higher 690
education in which the athlete is enrolled prior to the earlier 691
of the time the athlete next participates in or practices for an 692
officially sanctioned athletic competition or intercollegiate 693
athletic event after entering that agent contract, or seventy- 694
two hours after entering that agent contract. 695

Sec. 4771.05. ~~(A) The Ohio athletic commission,~~ 696
~~established~~ administrator of athletics, appointed under section 697
3773.33 of the Revised Code, shall do all of the following: 698

~~(A)~~ (1) Review the application form of an applicant for 699
registration as an athlete agent; 700

~~(B)~~ (2) Issue and renew biennial certificates of 701
registration for an athlete agent pursuant to this chapter; 702

~~(C)~~ (3) Maintain records of every athlete agent registered 703
in this state, including the agent's business and residential 704
address, and the date and number of the agent's registration~~+~~. 705

~~(D)~~ (B) The Ohio athletic commission, established under 706
section 3773.33 of the Revised Code, shall do all of the 707
following: 708

(1) Establish an application form to be completed by an 709
individual seeking registration as an athlete agent; 710

~~(E)~~ (2) Establish a fee for the registration, and renewal 711
of the registration, of an individual as an athlete agent in an 712
amount necessary to generate sufficient funds to cover the cost 713
of administering and enforcing this chapter; 714

~~(F)~~ (3) Adopt rules in accordance with Chapter 119. of the 715
Revised Code to carry out the purposes of this chapter. 716

Sec. 4771.07. (A) Each individual who desires to serve as 717
an athlete agent within this state shall first file an 718
application for registration with the ~~Ohio athletic~~ 719
~~commission~~administrator of athletics. The applicant shall apply 720
using a form prescribed by the Ohio athletic commission and 721
shall provide all the following information: 722

(1) The name and residential address of the applicant; 723

(2) The address of the primary location in which the 724
applicant wishes to conduct business as an athlete agent; 725

(3) The type of business conducted or the occupation held 726
by the applicant during the five years immediately preceding 727
application; 728

(4) The location and evidence of a trust fund established 729
in accordance with division (B) of section 4771.12 of the 730

Revised Code and rules adopted by the commission; 731

(5) The name and address of all persons who have a 732
financial interest in the business operation of the applicant, 733
or who are compensated for the solicitation or recruitment of 734
athletes on behalf of the applicant, except for salaried 735
employees who receive no commission or bonus pursuant to any 736
agent or professional sports services contract; 737

(6) Any other information deemed necessary by the 738
commission. 739

(B) The applicant shall submit with the application for 740
registration an affidavit or certificate of completion 741
describing all formal training or practical experience completed 742
by the applicant in any of the following areas: 743

- (1) Contracts; 744
- (2) Contract negotiations; 745
- (3) Complaint resolution; 746
- (4) Arbitration; 747
- (5) Dispute resolution. 748

An attorney admitted to practice law in this state shall 749
submit with the application a certificate of good standing 750
issued by the supreme court of Ohio in lieu of an affidavit or 751
certificate otherwise required under this division. 752

(C) An applicant shall submit with the application for 753
registration an application fee in an amount determined by the 754
commission pursuant to division ~~(F)~~ (B) (2) of section 4771.05 of 755
the Revised Code and proof of one of the securities required 756
under section ~~477.11~~ 4771.11 of the Revised Code. 757

(D) An athlete agent shall notify the ~~commission~~
administrator of any change in business location or address
during the period of application for registration or during the
period of time the registration of the athlete agent is valid.

Sec. 4771.08. (A) Upon receipt of all the materials
required for application for registration under section 4771.07
of the Revised Code, the ~~Ohio athletic commission~~ administrator
of athletics shall evaluate the information provided and issue a
certificate of registration to the applicant, unless the
~~commission administrator~~ finds that the applicant or an employee
or representative of the applicant has committed any of the acts
described in division (A) of section 4771.18 of the Revised
Code.

Notwithstanding the requirements for a certificate of
registration under this chapter, the ~~commission~~ administrator
shall issue a certificate of registration in accordance with
Chapter 4796. of the Revised Code to an applicant if either of
the following applies:

(1) The applicant is registered in another state.

(2) The applicant has satisfactory work experience, a
government certification, or a private certification as
described in that chapter as an athlete agent in a state that
does not issue that certificate of registration.

(B) The ~~commission~~ administrator may issue a temporary
certificate of registration, effective for a period of up to
ninety days after the issuance of the temporary registration, to
a nonresident athlete agent who is registered as an athlete
agent in another state, or to a person who has not submitted all
the material required under section 4771.07 of the Revised Code,

but who the ~~commission~~ administrator determines to have 787
submitted sufficient material to warrant the issuance of a 788
temporary certificate. Chapter 4796. of the Revised Code does 789
not apply to a temporary certificate of registration issued 790
under this division. 791

(C) The registration of an athlete agent ~~with the~~ 792
~~commission~~ is valid for a period of two years after the date the 793
certificate of registration is issued. An athlete agent shall 794
file an application for the renewal of a registration with the 795
~~commission~~ administrator at least thirty days prior to the 796
expiration of the registration of the athlete agent. An 797
application for renewal shall be accompanied by a renewal fee in 798
an amount determined by the Ohio athletic commission pursuant to 799
division ~~(F)~~ (B) (2) of section 4771.05 of the Revised Code. 800

(D) Each certificate of registration issued by the 801
~~commission~~ administrator to an athlete agent shall contain all 802
the following information: 803

(1) The name of the athlete agent; 804

(2) The address of the primary location in which the 805
athlete agent is authorized to conduct business as an athlete 806
agent; 807

(3) A registration number for the athlete agent and the 808
date of issuance of the registration. 809

(E) No registration or certificate of registration is 810
valid for any individual other than the athlete agent to whom it 811
is issued. 812

(F) The commission ~~is~~ and the administrator are not liable 813
for the acts of an athlete agent who is registered ~~with the~~ 814
~~commission~~ under this section. 815

Sec. 4771.09. (A) ~~The Ohio athletic commission-~~ 816
administrator of athletics may issue an eligible person a 817
certificate of convenience to conduct business as an athlete 818
agent when a registered athlete agent is deceased, or declared 819
incompetent or physically infirm by the judgment of a court of 820
competent jurisdiction. ~~The commission-~~administrator may issue a 821
certificate of convenience upon either receiving approval to do 822
so from a probate court or finding that the last will and 823
testament of the athlete agent specifically authorizes the 824
executor or administrator of estate to conduct the business of 825
the athlete agent. 826

(B) The following persons are eligible to obtain a 827
certificate of convenience to conduct business on behalf of an 828
athlete agent: 829

(1) The executor or administrator of the estate of the 830
deceased athlete agent; 831

(2) The guardian of the estate of an athlete agent who has 832
been declared incompetent or the conservator appointed to manage 833
the estate of an athlete agent who has been declared physically 834
infirm. 835

(C) A certificate of convenience is valid for ninety days 836
after the date it is issued. If the holder of a certificate of 837
convenience applies for registration as an athlete agent, the 838
~~commission-~~administrator may renew the certificate of 839
convenience for a period of time the ~~commission-~~administrator 840
finds appropriate pending the ~~commission's-~~administrator's 841
determination whether to issue a certificate of registration as 842
an athlete agent to the holder of the certificate of 843
convenience. 844

Sec. 4771.10. The Ohio athletic commission may require 845
each registered athlete agent to complete not more than six 846
hours of continuing education during a biennial registration in 847
programs to be determined or approved by the commission. If the 848
commission imposes continuing education requirements on athlete 849
agents, not less than two of the six hours of continuing 850
education shall be devoted to ethics. 851

A continuing education program shall promote the ability 852
of an athlete agent to serve as an athlete agent in an ethical 853
and legal manner. A continuing education program may address 854
laws and rules governing athlete agents and rules and policies 855
established by an athletic conference or a collegiate athletic 856
organization. An athlete agent also may obtain credit for 857
continuing education by participating in or attending lectures, 858
courses at institutions of higher education, seminars, or rule- 859
making or disciplinary proceedings approved by the commission, 860
or by teaching a subject that pertains to the profession of an 861
athlete agent. 862

If the commission requires athlete agents to fulfill 863
continuing education requirements under this section, the 864
commission shall adopt rules to carry out the purposes of this 865
section. The rules shall contain procedures by which the 866
commission or the administrator of athletics shall monitor an 867
athlete agent's compliance with the continuing education 868
requirements prior to renewal of an athlete agent's certificate 869
of registration. 870

Sec. 4771.11. (A) Prior to issuing a certificate of 871
registration, the ~~Ohio athletic commission~~ administrator of 872
athletics shall require an athlete agent to submit proof of one 873
of the following securities: 874

(1) A surety bond in the amount of fifteen thousand 875
dollars in favor of the state of Ohio for the benefit of any 876
person who is injured by a violation of this chapter or rules 877
adopted under this chapter; 878

(2) A certificate of deposit in favor of, or a savings 879
account assigned to, the state of Ohio for the benefit of any 880
person that is injured by a violation of this chapter or rules 881
adopted under this chapter, in the amount of fifteen thousand 882
dollars; 883

(3) Certification from an insurance carrier indicating 884
that the athlete agent has obtained professional malpractice 885
insurance in an amount equal to, or greater than, fifty thousand 886
dollars, or a lesser amount, as permitted by the 887
~~commission~~administrator. 888

An athlete agent shall present evidence of a bond, a 889
certificate of deposit, an assigned savings account, or 890
professional malpractice insurance in the manner prescribed by 891
the Ohio athletic commission. 892

(B) The ~~commission~~administrator shall hold on deposit, as 893
an agent of the state, any surety bond or other form of security 894
deposited with the ~~commission~~administrator by an athlete agent. 895
The ~~commission~~administrator shall hold the security in trust 896
contingent on an athlete agent's compliance with all provisions 897
of this chapter including the payment of all moneys owed to an 898
athlete, group of athletes, educational institution, or 899
institution of higher education, and the payment of all damages 900
other than punitive damages due as the result of a misstatement, 901
misrepresentation, fraudulent act, deceit, or unlawful or 902
negligent act or omission by an athlete agent in the course of 903
serving as an athlete agent, or by a representative or employee 904

of an athlete agent when the representative or employee acted 905
within the scope of the representative's or employee's 906
authority. The ~~commission~~ administrator may use funds held on 907
deposit for an athlete agent to pay debts owed by an athlete 908
agent as described in this division pursuant to a court or 909
administrative order specifying the obligation of the athlete 910
agent. 911

(C) Nothing in this section shall be construed to limit 912
the liability of an athlete agent to the amount of the surety 913
bond, malpractice coverage, or other security held on deposit by 914
the ~~commission~~ administrator. 915

(D) An athlete agent shall maintain the security required 916
under this section. If an athlete agent fails to maintain the 917
security as required under this section, the ~~commission~~ 918
administrator shall suspend the registration of the athlete 919
agent until the athlete agent provides evidence of the bond, 920
certificate of deposit, assigned savings account, or 921
professional malpractice insurance, as required under this 922
section. 923

(E) The liability of the surety on a bond described in 924
division (A) of this section shall not exceed the sum of fifteen 925
thousand dollars in the aggregate for all persons who are 926
injured by any and all violations of this chapter or rules 927
adopted under this chapter. 928

(F) A surety may cancel a bond described in division (A) 929
of this section after mailing a written notice to the athlete 930
agent and the ~~commission~~ administrator stating that the bond 931
cancels sixty days after that notice is mailed. The liability of 932
the surety for acts of the athlete agent continues during that 933
sixty-day period. The cancellation notice does not absolve the 934

surety from liability that accrues before the cancellation date 935
but that is discovered after that date. 936

(G) The ~~commission~~administrator shall return the surety 937
bond or other form of security held by the ~~commission~~
administrator under this section to the athlete agent submitting 938
the bond or security, two years after the person ceases to serve 939
as an athlete agent in this state. 940
941

Sec. 4771.12. (A) Fees charged by an athlete agent for 942
services provided to an athlete may be negotiated between the 943
parties. 944

(B) (1) Except as provided in division (B) (2) of this 945
section, an athlete agent shall establish an interest-bearing 946
trust fund or similar account in a depository approved by the 947
Ohio athletic commission to be used for the deposit of all 948
revenues received on behalf of an athlete. An athlete agent 949
shall deposit any revenue received on behalf of an athlete in 950
the interest-bearing trust fund or account. The athlete agent 951
shall notify the ~~commission~~administrator of athletics of the 952
address and location of the trust fund or account and the 953
depository in which it is located. 954

(2) An athlete agent who is an attorney licensed to 955
practice law in this state may deposit any revenue received on 956
behalf of an athlete in a trust account already maintained by 957
the agent attorney in a financial institution in this state for 958
the deposit of revenue received on behalf of clients. 959

(C) No athlete agent shall share fees with any person 960
other than an employee of the athlete agent. If an athlete agent 961
shares a fee with an employee, the athlete agent shall obtain 962
written consent from the athlete prior to entering a fee 963

agreement with the athlete. No athlete agent shall enter fee 964
agreements that are prohibited under this chapter. 965

(D) If an athlete agent collects a fee or expense from an 966
athlete as consideration for obtaining employment for the 967
athlete, and the athlete agent fails to procure such employment, 968
the agent shall retain only the following portion of the fee or 969
expense: 970

(1) The cost of reasonable expenses incurred by the 971
athlete agent during the course of representing the athlete in 972
efforts to obtain employment for the athlete; 973

(2) A negotiated fee in connection with instances where 974
the athlete receives a bonus or some compensation for signing a 975
professional sports services contract. 976

(E) Nothing in this section shall be construed to limit 977
the authority of the Ohio supreme court to establish or regulate 978
fees for activities considered to be the practice of law. 979

Sec. 4771.13. No athlete agent shall act on behalf of an 980
athlete as a "dealer" or "investment advisor," as defined in 981
section 1707.01 of the Revised Code, unless the athlete agent 982
complies with Chapter 1707. of the Revised Code. 983

An athlete agent shall disclose to an athlete and the Ohio 984
~~athletic commission~~ administrator of athletics any ownership 985
interest the athlete agent has in an entity referred to by the 986
athlete agent in advising the athlete concerning investments. An 987
athlete agent shall disclose any commissions or fees the athlete 988
agent may receive as a result of an investment decision made by 989
an athlete in response to investment advice from the athlete 990
agent. 991

Sec. 4771.14. (A) An athlete agent shall maintain all of 992

the following records: 993

(1) The name and address of each athlete for whom the 994
athlete agent performs services as an athlete agent in exchange 995
for compensation; 996

(2) The amount of fees or compensation received for the 997
performance of services for each athlete; 998

(3) A copy of the contract entered into between the 999
athlete agent and each athlete; 1000

(4) Any other information the Ohio athletic commission or 1001
the administrator of athletics finds appropriate in connection 1002
with the provision of services by an athlete agent. 1003

(B) An athlete agent shall maintain all records required 1004
to be maintained pursuant to this section, in a manner that the 1005
commission shall prescribe, for a period of five years. 1006

(C) No athlete agent or employee or representative of an 1007
athlete agent shall make, or cause to be made, any false records 1008
or records containing false information. 1009

(D) All financial records, financial books, and other 1010
records not subject to the attorney-client privilege that are 1011
required to be maintained pursuant to this chapter shall be open 1012
to inspection by the commission, the administrator, and ~~its~~ 1013
their representatives, upon reasonable notice, at the pleasure 1014
of the commission or the administrator. 1015

Sec. 4771.16. No athlete agent shall publish or cause to 1016
be published any false, fraudulent, or misleading notice, 1017
advertisement, or information with knowledge that it is false, 1018
fraudulent, or misleading. All advertisements of an athlete 1019
agent shall contain the name and registered business address of 1020

the athlete agent and some indication that the athlete agent is 1021
registered ~~with the Ohio athletic commission~~ under this chapter. 1022

As used in this section, "advertisement" includes 1023
circulars, signs, newspaper or magazine publications, or other 1024
oral or written communication that names the athlete agent in 1025
connection with the provision of services as an athlete agent. 1026

Sec. 4771.18. (A) ~~The Ohio athletic commission~~ 1027
administrator of athletics may, except as provided in division 1028
(B) of this section, refuse to grant or renew a registration, ~~or~~ 1029
and the Ohio athletic commission may suspend or revoke a 1030
registration of an athlete agent, in accordance with Chapter 1031
119. of the Revised Code, upon proof satisfactory to the 1032
administrator or the commission that the athlete agent or an 1033
employee or representative of the athlete agent has done any of 1034
the following: 1035

(1) Made false or misleading statements of a material 1036
nature in an application for registration as an athlete agent; 1037

(2) Been convicted of or pleaded guilty to an offense in 1038
connection with the person's service as an athlete agent in this 1039
or another state; 1040

(3) Been convicted of or pleaded guilty to an offense 1041
involving illegal gambling; 1042

(4) Engaged in conduct that has a significant adverse 1043
impact on the applicant's credibility, integrity, or competence 1044
to serve in a fiduciary capacity; 1045

(5) Misappropriated funds or engaged in other specific 1046
conduct that would render the applicant unfit to serve in a 1047
fiduciary capacity, including being convicted of or pleading 1048
guilty to offenses involving embezzlement, theft, or fraud; 1049

(6) Violated a provision of this chapter or a rule adopted 1050
under this chapter. 1051

(B) The ~~commission~~administrator shall not refuse to issue 1052
a registration to an applicant because of a conviction of or 1053
plea of guilty to an offense unless the refusal is in accordance 1054
with section 9.79 of the Revised Code. 1055

(C) Upon receiving a complaint of a violation of this 1056
chapter or a rule adopted under it, the commission shall conduct 1057
an investigation of the complaint. If the commission finds 1058
reasonable cause to believe a violation occurred, the commission 1059
shall conduct a hearing in accordance with Chapter 119. of the 1060
Revised Code to determine if a violation occurred. If the 1061
commission finds a violation occurred, the commission may 1062
suspend or revoke, or the administrator may refuse to issue or 1063
renew, the registration of an athlete agent for such period of 1064
time as the commission or administrator finds appropriate. 1065

Upon completion of an investigation, if the commission 1066
finds no reasonable grounds to believe a violation occurred, the 1067
commission shall certify without a hearing that no violation 1068
occurred. The commission shall serve the certification on all 1069
parties addressed in the complaint by certified mail, return 1070
receipt requested. The certification shall be considered a final 1071
resolution of the matter if no objection to the certification is 1072
filed. A party involved in the complaint may file an objection 1073
to the certification with the commission within ten days after 1074
the date the certification is mailed. If a party files an 1075
objection to the certification within the prescribed period, the 1076
commission, within its discretion, may conduct a hearing in 1077
accordance with Chapter 119. of the Revised Code to determine if 1078
a violation occurred. 1079

Sec. 4771.21. Any person who conducts business in this 1080
state as an athlete agent consents to the jurisdiction of the 1081
courts of this state, whether or not the person is registered as 1082
an athlete agent ~~with the Ohio athletic commission~~under this 1083
chapter. 1084

If an athlete agent conducts business in this state and 1085
thereafter leaves this state with intent to defraud creditors or 1086
to avoid service of process in an action brought under this 1087
chapter, the athlete agent thereby makes the secretary of state 1088
of the state of Ohio the agent of the athlete agent for purposes 1089
of service of process in any civil action or proceeding 1090
instituted in the courts of this state against the athlete agent 1091
arising out of, or by reason of, the athlete agent's conduct 1092
within this state. This appointment is irrevocable. 1093

The process shall be served by the officer to whom the 1094
process is directed or by the sheriff of Franklin county. The 1095
process shall be served as follows: 1096

(A) Upon the secretary of state by leaving the process and 1097
a true and attested copy of the process at the office of the 1098
secretary of state, at least fifteen days before the return day 1099
of the process; and 1100

(B) By sending to the defendant, at the defendant's last 1101
known address, by registered mail, postage prepaid, a like true 1102
and attested copy of the process, with an indorsement on the 1103
process of the service upon the secretary of state. The 1104
registered mail return receipt of the defendant shall be 1105
attached to and made a part of the return of service of the 1106
process. 1107

Sec. 4771.22. The Ohio athletic commission and the 1108

administrator of athletics shall deposit all money ~~it receives~~ 1109
they receive under this chapter to the credit of the 1110
occupational licensing and regulatory fund, created under 1111
section 4743.05 of the Revised Code. 1112

Sec. 4771.23. The Ohio athletic commission and the 1113
administrator of athletics shall comply with section 4776.20 of 1114
the Revised Code. 1115

Section 2. That existing sections 3773.33, 3773.34, 1116
3773.35, 3773.36, 3773.37, 3773.38, 3773.39, 3773.40, 3773.41, 1117
3773.42, 3773.421, 3773.43, 3773.45, 3773.51, 3773.52, 3773.53, 1118
3773.54, 3773.55, 3773.56, 3773.57, 3773.59, 4771.02, 4771.05, 1119
4771.07, 4771.08, 4771.09, 4771.10, 4771.11, 4771.12, 4771.13, 1120
4771.14, 4771.16, 4771.18, 4771.21, 4771.22, and 4771.23 of the 1121
Revised Code are hereby repealed. 1122

Section 3. All items in this act are hereby appropriated 1123
as designated out of any moneys in the state treasury to the 1124
credit of the designated fund. For all operating appropriations 1125
made in this act, those in the first column are for fiscal year 1126
2026 and those in the second column are for fiscal year 2027. 1127
The operating appropriations made in this act are in addition to 1128
any other operating appropriations made for these fiscal years. 1129

Section 4. 1130
1131

1	2	3	4	5
A	COM DEPARTMENT OF COMMERCE			
B	Dedicated Purpose Fund Group			
C	4K90 800633 Athletic Commission		\$1,000,000	\$0

D Dedicated Purpose Fund Group Total \$1,000,000 \$0

E TOTAL ALL BUDGET FUND GROUPS \$1,000,000 \$0

ATHLETIC COMMISSION 1132

The foregoing appropriation item 800633, Athletic 1133
Commission, shall be used to carry out the responsibilities of 1134
the Athletic Commission. 1135

CASH TRANSFER FROM THE GENERAL REVENUE FUND TO THE 1136
OCCUPATIONAL LICENSING AND REGULATORY FUND 1137

On the effective date of this section, or as soon as 1138
possible thereafter, the Director of Budget and Management shall 1139
transfer \$1,000,000 cash from the General Revenue Fund to the 1140
Occupational Licensing and Regulatory Fund (Fund 4K90). 1141

Any unexpended and unencumbered portion of the foregoing 1142
appropriation item 800633, Athletic Commission, remaining at the 1143
end of fiscal year 2026 is hereby reappropriated for the same 1144
purpose in fiscal year 2027. 1145

Section 5. Within the limits set forth in this act, the 1146
Director of Budget and Management shall establish accounts 1147
indicating the source and amount of funds for each appropriation 1148
made in this act, and shall determine the manner in which 1149
appropriation accounts shall be maintained. Expenditures from 1150
operating appropriations contained in this act shall be 1151
accounted for as though made in, and are subject to all 1152
applicable provisions of, H.B. 96 of the 136th General Assembly. 1153

Section 6. (A) With respect to any business commenced but 1154
not completed by the Executive Director of the Ohio Athletic 1155
Commission on the effective date of this section, that business 1156

shall be completed by the Director of Commerce or the 1157
Administrator of Athletics in the same manner, and with the same 1158
effect, as if completed by the Executive Director. 1159

(B) Wherever the Executive Director is referred to in any 1160
law, contract, or other document, the reference shall be deemed 1161
to refer to the Director or the Administrator. 1162

(C) On the effective date of this section, both of the 1163
following apply: 1164

(1) Subject to the lay-off provisions of sections 124.321 1165
to 124.328 of the Revised Code, all of the Commission's 1166
employees are transferred to the Department of Commerce and 1167
retain their positions and all of the benefits accruing thereto. 1168

(2) All of the Commission's employment records, equipment, 1169
and assets shall be transferred to the Department. 1170

(D) Any action or proceeding pending on the effective date 1171
of this section shall be prosecuted or defended in the name of 1172
the Director or the Administrator. In all such actions and 1173
proceedings, the Director or Administrator, on application to 1174
the court, shall be substituted as a party. 1175

Section 7. Sections 1, 2, and 6 of this act take effect 1176
ninety days after the effective date of this section. 1177

Section 8. Beginning on the effective date of this 1178
section, the number of regulatory restrictions permitted in this 1179
state pursuant to section 121.953 of the Revised Code shall be 1180
increased by the number of regulatory restrictions contained in 1181
rules adopted by the Ohio Athletic Commission that are in effect 1182
on the effective date of this section. 1183