

As Introduced

136th General Assembly

Regular Session

H. B. No. 661

2025-2026

Representatives Bird, Odioso

Cosponsors: Representatives Holmes, Ritter, Pizzulli, Miller, K., Peterson, Creech, Mathews, A., Abrams, Stewart, Salvo, Click, Manning, Hoops

To enact sections 3373.01, 3373.02, and 3373.03 of
the Revised Code to prohibit a middle or high
school athlete from earning compensation from
the athlete's name, image, or likeness.

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

Section 1. That sections 3373.01, 3373.02, and 3373.03 of
the Revised Code be enacted to read as follows:

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Sec. 3373.01. As used in this chapter:

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(A) "Middle or high school" means any of the following
that offers any of grades seven through twelve:

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(1) A school operated by a city, local, exempted village,
or joint vocational school district;

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(2) A community school established under Chapter 3314. of
the Revised Code;

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(3) A STEM school established under Chapter 3326. of the
Revised Code;

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(4) A college-preparatory boarding school established
under Chapter 3328. of the Revised Code;

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<u>(5) A chartered nonpublic school;</u>	18
<u>(6) A nonchartered nonpublic school that is a member of an organization that regulates interscholastic athletic conferences or events.</u>	19
<u> (B) "Middle or high school student-athlete" means an individual who participates in athletic competitions or events administered by an organization that regulates interscholastic athletic conferences or events and to whom either of the following apply:</u>	20
<u> (1) The student is enrolled in middle or high school.</u>	21
<u> (2) The student is participating in interscholastic athletics at a middle or high school in accordance with section 3313.536, 3313.537, 3313.5311, 3313.5312, or 3313.5313 of the Revised Code.</u>	22
<u> Sec. 3373.02. No middle or high school, school district, interscholastic athletic conference, or organization that regulates interscholastic athletic conferences or events shall permit a middle or high school student-athlete to do either of the following:</u>	23
<u> (A) Earn compensation from the use of the student-athlete's name, image, or likeness if that compensation is earned in connection with the student-athlete's participation in interscholastic athletics;</u>	24
<u> (B) Earn any other compensation related to the student-athlete's position on the roster of an interscholastic athletics team.</u>	25
<u> Sec. 3373.03. (A) If a middle or high school student-athlete earns compensation that is prohibited under section</u>	26

<u>3373.02 of the Revised Code, no middle or high school, school</u>	46
<u>district, interscholastic athletic conference, or organization</u>	47
<u>that regulates interscholastic athletic conferences or events</u>	48
<u>shall permit the student-athlete to participate in</u>	49
<u>interscholastic athletics in the specific sport to which the</u>	50
<u>compensation relates. Nothing in this division prohibits that</u>	51
<u>student-athlete from participating in interscholastic athletics</u>	52
<u>in a sport to which the compensation does not relate.</u>	53
<u>(B) Each organization that regulates interscholastic</u>	54
<u>athletic conferences or events shall adopt rules or bylaws to</u>	55
<u>implement division (A) of this section. The organization shall</u>	56
<u>include in the rules or bylaws both of the following:</u>	57
<u>(1) A procedure to investigate any allegation that a</u>	58
<u>middle or high school student-athlete has earned compensation</u>	59
<u>that is prohibited under section 3373.02 of the Revised Code and</u>	60
<u>to make a determination regarding the allegation;</u>	61
<u>(2) A procedure for a student-athlete to appeal an adverse</u>	62
<u>determination to the organization's executive officer for</u>	63
<u>reinstatement to participate in interscholastic athletics in the</u>	64
<u>sport to which the compensation is related.</u>	65