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S.B. 94
136th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsor: Sen. DeMora

Local Impact Statement Procedure Required: No

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Highlights

- The bill prohibits state universities from entering into or renewing contracts under which the media rights to broadcast a university athletic event are granted exclusively to a streaming service. The fiscal effects of this provision on each state university will vary depending on several factors, including when a university's current media rights contract is set to expire and its revenue-sharing agreements with its respective athletic conference. For example, since most, if not all, state universities currently grant unconditional media rights to their respective athletic conferences, the bill could jeopardize membership in those conferences, potentially risking between millions and tens of millions of dollars annually.
- The bill also requires each state university to provide enrolled students, free of charge, with access to observe broadcasted university athletic events. The cost of this provision will depend on university implementation decisions.

Detailed Analysis

Prohibition on exclusive broadcasting rights

The bill prohibits, to the extent permitted by federal law, a state university from entering into or renewing a contract, on or after the bill's effective date, where the media rights to broadcast a university athletic event¹ are granted exclusively to a streaming service. The effects of this provision on each state university will vary depending on several factors, including when

¹ "University athletic event" is defined in the bill as an intercollegiate athletic competition in which one or more student-athletes affiliated with a state university participate.

a university's current media rights contract is set to expire and its revenue-sharing agreement with its respective athletic conference. According to information received by the Inter-University Council of Ohio (IUC) from its member institutions, each of Ohio's 13 state universities grant all athletic broadcast media rights to the athletic conferences to which they are members. For example, Ohio State University (OSU) has granted all athletic broadcast media rights to the Big Ten Conference. This is a condition of membership in the Big Ten, and the current Assignment of Rights is in effect until calendar year 2036. In other words, the bill may not impact OSU until after calendar year 2036. On the other hand, six universities (Akron, Bowling Green State, Kent State, Miami, Ohio, and Toledo) are members of the Mid-American Conference (MAC), whose media rights contract with ESPN expires after the 2026-2027 academic year.² Accordingly, the bill will likely impact these universities as early as the 2027-2028 academic year (FY 2028). The bill could negatively impact the value of the MAC's future media rights contract. According to IUC, 72% of MAC home football games in 2023 were distributed exclusively on ESPN+, a streaming service. An even greater percentage of other conference events like men's basketball, women's basketball, volleyball, soccer, baseball, and softball were also streamed on ESPN+.

Furthermore, according to IUC, each state university may be unable to enter into a contract granting unconditional media rights to its respective conference, thus jeopardizing its membership in that conference. This could result in potentially significant revenue loss. Such restrictions might also negatively impact a school's ability to participate in and receive payouts from postseason events, such as bowl games, the College Football Playoff, or the National Collegiate Athletic Association (NCAA) basketball tournaments. The media rights for these events are negotiated well in advance, before the participants are selected. If the College Football Playoff administration, for example, negotiates an exclusive media rights deal with a streaming service, a state university might be forced to decline an invitation to participate. If a university's membership in a conference is jeopardized, the university's teams may be unable to participate in conference tournaments and miss the opportunity to qualify for a conference's automatic berth in NCAA postseason competition. Revenue losses would vary by university. For example, OSU reported \$64.9 million in total revenue related to media rights with an additional \$11.3 million from conference distributions in FY 2025.³ That same fiscal year, Bowling Green State University (BGSU) reported \$84,000 related to media rights and \$2.5 million from conference distributions.⁴ Although it is unclear how much revenue might be lost, the value of conference membership and media rights at risk typically range from millions to tens of millions of dollars annually.

Free access for students to observe university athletic events

The bill requires each state university to provide enrolled students free access to observe any university athletic events that are broadcast in accordance with a contract subject to the

² See [How the Mid-American Conference and ESPN Made MACtion Mid-Week Football Popular](#), Casey, November 11, 2025, on [Forbes.com](#).

³ See [OSU's FY 2025 NCAA Membership Report \(PDF\)](#) available on OSU's website: [osu.edu](#) using keyword search "FY25 athletics revenue."

⁴ See [BGSU's FY 2025 NCAA Membership Report \(PDF\)](#) available on BGSU's website: [bgsu.edu](#) using keyword search "FY25 athletics revenue."

above streaming service prohibition. The bill gives state universities discretion to determine the way such access is provided. According to responses received by IUC from its member universities, only a small percentage of the hundreds of annual athletic events are broadcast on network television. Many state universities include cable television or another subscription service in their housing fees. If the type or level of such subscription service does not currently permit access to all of the university's broadcasted athletic events, it will have to be upgraded to one that does. Furthermore, under this scenario, universities would not be able to pass on to students the cost of subscription-based broadcast services that air athletic events. It is unclear how many universities would be affected or how much this provision may cost, either for subscription-based broadcast services or in foregone student fee revenue. Such costs will depend on implementation decisions made by the universities.