



Ohio Revised Code Section 3376.01 Definitions.

Effective: September 30, 2021

Legislation: House Bill 110 - 134th General Assembly

As used in this chapter:

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

(B) "Private college" has the same meaning as in section 3365.01 of the Revised Code.



Ohio Revised Code

Section 3376.02 Institutional prohibitions regarding student athlete use of name, image, or likeness.

Effective: September 30, 2021

Legislation: House Bill 110 - 134th General Assembly

No state institution of higher education or private college shall uphold any rule, requirement, standard, or other limitation that prevents a student of that institution or college from fully participating in intercollegiate athletics because the student earns compensation as a result of the use of the student's name, image, or likeness. Earning compensation from the use of a student's name, image, or likeness shall not affect the student's scholarship eligibility or renewal.



Ohio Revised Code

Section 3376.03 Athletic authority prohibitions regarding use of name, image, or likeness.

Effective: September 30, 2021

Legislation: House Bill 110 - 134th General Assembly

An athletic association, conference, or other group or organization with authority over intercollegiate athletics, including the national collegiate athletic association or its successor organization, shall not do either of the following:

(A) Prevent a student of a state institution of higher education or private college from fully participating in intercollegiate athletics because the student earns compensation as a result of the use of the student's name, image, or likeness;

(B) Prevent a state institution of higher education or private college from fully participating in intercollegiate athletics because a student of that institution or college participating in intercollegiate athletics does either of the following:

(1) Uses the student's name, image, or likeness;

(2) Obtains professional representation in relation to contracts or legal matters regarding opportunities to earn compensation for use of the student's name, image, or likeness.



Ohio Revised Code

Section 3376.04 Additional prohibitions regarding use of name, image, or likeness.

Effective: September 30, 2021

Legislation: House Bill 110 - 134th General Assembly

No state institution of higher education, private college, athletic association, conference, or other group or organization with authority over intercollegiate athletics shall do any of the following:

- (A) Provide a prospective student who intends to participate in intercollegiate athletics with compensation in relation to the prospective student's name, image, or likeness;
 - (B) Prevent a student who resides in this state and participates in intercollegiate athletics from obtaining professional representation in relation to contracts or legal matters regarding opportunities to be compensated for use of the student's name, image, or likeness;
 - (C) Interfere with or prevent a student from fully participating in intercollegiate athletics because the student obtains professional representation in relation to contracts or legal matters regarding opportunities to earn compensation for use of the student's name, image, or likeness.
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Ohio Revised Code Section 3376.05 Scholarships.

Effective: September 30, 2021

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A scholarship from a state institution of higher education or private college at which a student is enrolled is not compensation for use of the student's name, image, or likeness for purposes of this chapter. No state institution of higher education or private college shall revoke or reduce a scholarship as a result of a student earning compensation for use of the student's name, image, or likeness if the student earns that compensation in accordance with this chapter.



Ohio Revised Code

Section 3376.06 Student athlete contract limitations; contract disclosure and review.

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Legislation: House Bill 110 - 134th General Assembly

(A) As used in this section:

(1) "Official team activities" means all games, practices, exhibitions, scrimmages, team appearances, team photograph sessions, sports camps sponsored by the institution or college, and other team-organized activities, regardless of whether the activity takes place on or off campus, including individual photograph sessions and news media interviews.

(2) "Student" means an individual enrolled at a state institution of higher education or private college who participates in intercollegiate athletics.

(B) A state institution of higher education's or private college's contract with a student shall not prevent the student from using the student's name, image, or likeness for a commercial purpose when the student is not engaged in official team activities.

(C) A student shall not enter into a contract providing compensation to the student for use of the student's name, image, or likeness that requires the student to display a sponsor's product, or otherwise advertise for a sponsor, during official team activities or any other time if that requirement is in conflict with a provision of a contract to which a state institution of higher education or private college is a party.

(D)(1) A student who intends to enter into a verbal or written contract providing compensation to the student for use of the student's name, image, or likeness shall disclose the proposed contract to an official of the state institution of higher education or private college for review by the institution or college. The institution or college shall designate an official to whom the student is to disclose the proposed contract.

(2) If a state institution of higher education or private college identifies a conflict between the



proposed verbal or written contract described in division (D)(1) of this section and any existing provisions of a contract to which the institution or college is a party, the institution or college shall communicate to the student the relevant contract provision that is in conflict. The student shall not enter into the proposed contract, but the student may negotiate a revision to the proposed contract to avoid the conflict. The revised proposed contract is subject to review by the institution or college to ensure compliance with this chapter.

(E) A state institution of higher education or private college may establish reasonable policies or standards to address a student's failure to provide the disclosure required under division (D)(1) of this section or any other failure to comply with the requirements of this chapter.



Ohio Revised Code

Section 3376.07 Certain contracts may be prohibited.

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A state institution of higher education, private college, athletic association, conference, or other group or organization with authority over intercollegiate athletics may prohibit a student who participates in intercollegiate athletics from entering into a contract providing compensation to the student for use of the student's name, image, or likeness if under the contract the student's name, image, or likeness is associated with any of the following:

(A) Any company that manufactures, markets, or sells, or brand that is associated with, a controlled substance, marihuana product, medical marijuana product, alcoholic product, tobacco product, electronic smoking device, vapor product, or product or device that consists of or contains nicotine that can be ingested into the body;

(B) Any medical marijuana cultivator, processor, laboratory, or retail dispensary licensed under Chapter 3796. of the Revised Code or under the laws of another state;

(C) Any business engaged in the sale, rental, or exhibition for any form of consideration of adult entertainment that is characterized by an emphasis on the exposure or display of sexual activity;

(D) Any casino or entity that sponsors or promotes gambling activities;

(E) Any other category of companies, brands, or types of contracts that are similar to those described in divisions (A) to (D) of this section that the institution or college communicates to the student before the student enrolls at the institution or college.



Ohio Revised Code

Section 3376.08 Limitations on chapter applicability.

Effective: September 30, 2021

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Nothing in this chapter does any of the following:

(A) Requires a state institution of higher education, private college, athletic association, conference, or other group or organization with authority over intercollegiate athletics to identify, create, facilitate, negotiate, or otherwise enable opportunities for a student to earn compensation for use of the student's name, image, or likeness;

(B) Establishes or grants to a student any right to use the name, trademarks, services marks, logos, symbols, or any other intellectual property, regardless of whether the intellectual property is registered with the appropriate authority, that belong to a state institution of higher education, private college, athletic association, conference, or other group or organization with authority over intercollegiate athletics, to further the student's opportunities to earn compensation for use of the student's name, image, or likeness;

(C) Limits the rights of a state institution of higher education or private college to establish and enforce any of the following:

(1) Academic standards, requirements, regulations, or obligations for its students;

(2) Team rules of conduct or other rules of conduct;

(3) Standards or policies regarding the governance or operation of or participation in intercollegiate varsity athletics;

(4) Disciplinary rules and standards generally applicable to all students of the institution or college.
