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Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Callender and A. Mathews

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SUMMARY

- Places the Ohio Athletic Commission within the Department of Commerce for administrative purposes.
- Requires the Director of Commerce to appoint an Administrator of Athletics to act as the Commission's executive officer.
- Transfers several of the Commission's administrative functions to the Administrator but retains the Commission's policy and oversight functions.
- Appropriates \$1 million in FY 2026 for purposes of carrying out the Ohio Athletic Commission's functions.

DETAILED ANALYSIS

Ohio Athletic Commission

The bill places the Ohio Athletic Commission within the Department of Commerce for administrative purposes.¹ The Commission generally regulates unarmed combat sports under the Ohio Athletic Commission Law and athlete agents under the Athlete Agent Law.² The bill requires the Director of Commerce to appoint a Department employee as the Administrator of Athletics to act as the Commission's executive officer. The Administrator serves at the Director's pleasure. The bill eliminates the Commission's ability to appoint an Executive Director.³ It also transfers several of the Commission's administrative functions to the Administrator, such as reviewing license applications and issuing and renewing licenses. The Commission retains its policy and

¹ R.C. 3773.33.

² R.C. 3773.31 to 3773.59 and 3773.99 and R.C. Chapter 4771.

³ R.C. 3773.33 and 3773.56.

oversight functions, such as adopting rules, establishing standards regarding unarmed combat sports, investigating complaints, conducting hearings, and taking disciplinary actions.⁴

Transfer of functions

As noted above, the bill transfers several of the Commission's administrative functions to the Administrator or the Director. The table below provides an overview of the major transfer of functions under the bill. These transfers are effective 90 days after the bill's 90-day effective date.⁵ The table is not exhaustive and does not specify all the Commission's, Administrator's, or Director's functions under the bill or continuing law. It also does not specify instances where the Administrator is substituted under the bill to perform a function the Commission's Executive Director currently performs.⁶

Transfer of Ohio Athletic Commission functions under the bill		
Function	Who performs it under current law	Who performs it under the bill
Carrying out the Ohio Athletic Commission Law and the Athlete Agent Law (<i>R.C. 3773.34</i>)	The Commission	The Commission and the Administrator
Employing persons to administer the Ohio Athletic Commission Law and Athlete Agent Law (<i>R.C. 3773.51, 3773.52, and 3773.56</i>)	The Commission	The Director
Issuing, denying, suspending, or revoking licenses to persons engaged in a public boxing or wrestling match or exhibition (<i>R.C. 3773.34</i>)	The Commission	The Commission or the Administrator when authorized by the Commission
Issuing and renewing a promotor's license to conduct a match or exhibition and obtaining from the applicant a bond and a certificate of its filing with the Treasurer of State (<i>R.C. 3773.35, 3773.36, and 3773.54</i>)	The Commission	The Administrator

⁴ See, e.g., R.C. 3773.34, 3773.45, 3773.52, 3773.53, 4771.05, and 4771.18.

⁵ Section 7.

⁶ See, e.g., R.C. 3773.39, 3773.40, and 3773.57.

Transfer of Ohio Athletic Commission functions under the bill		
Function	Who performs it under current law	Who performs it under the bill
Receiving applications for permits to conduct a match or exhibition and bonds covering the estimated gross receipts (R.C. 3773.38)	The Commission	The Commission or the Administrator
Designating a serial number for a permit to conduct a match or exhibition (R.C. 3773.39)	The Commission	The Commission or the Administrator when authorized by the Commission
Issuing and renewing licenses to participate in an unarmed combat sport as a referee, judge, matchmaker, timekeeper, manager, trainer, contestant, or second and designating a number for the license (R.C. 3773.41, 3773.42, and 3773.421)	The Commission	The Administrator
Charging a fee to issue or renew a license or permit under the Ohio Athletic Commission Law (R.C. 3773.43)	The Commission	The Commission and the Administrator
Requiring the filing of a photograph with identification of an applicant for a promoter's or participant's license (R.C. 3773.37)	The Commission	The Administrator
Receiving reports regarding a contestant's physical examination (R.C. 3773.45)	The Commission	The Administrator
Appointing licensed referees and judges for matches and exhibitions (R.C. 3773.45)	The Commission	The Administrator (the Director also appoints referees and judges for matches and exhibitions (R.C. 3773.51))
Receiving box office statements for a match or exhibition (R.C. 3773.52)	The Commission	The Administrator

Transfer of Ohio Athletic Commission functions under the bill		
Function	Who performs it under current law	Who performs it under the bill
Revoking a contestant's license if the Commission finds the contestant did not compete to the constant's best ability (R.C. 3773.52)	The Commission	The Commission or the Administrator when authorized by the Commission
Receiving reports regarding a match or exhibition and taxes on the gross proceeds (R.C. 3773.54)	The Commission	The Administrator
Subpoenaing any person, and examining books and records, regarding an unsatisfactory report, to determine the gross proceeds for a match or exhibition and the tax due (R.C. 3773.55)	The Commission	The Administrator
Prescribing the due date for the tax on the gross proceeds from a match or exhibition and sending a delinquency notice if the taxpayer fails to pay the tax on that date (R.C. 3773.55)	The Commission	The Administrator
Depositing receipts under the Ohio Athletic Commission Law and the Athlete Agent Law in the Occupational Licensing and Regulatory Fund (R.C. 3773.56 and 4771.22)	The Commission	The Commission and the Administrator
Complying with the procedures and requirements concerning a licensee being in default under a child support order on receiving a notice (R.C. 3773.59)	The Commission	The Commission and the Administrator
Issuing and renewing athlete agent registration certificates, issuing temporary certificates, and maintaining records of registered agents (R.C. 4771.05, 4771.07, and 4771.08)	The Commission	The Administrator
Receiving notification regarding an athlete agent's change in business location (R.C. 4771.07)	The Commission	The Administrator

Transfer of Ohio Athletic Commission functions under the bill		
Function	Who performs it under current law	Who performs it under the bill
Issuing and renewing certificates of convenience to temporarily conduct business as an athlete agent (R.C. 4771.09)	The Commission	The Administrator
Monitoring an athlete agent's compliance with any continuing education requirements (R.C. 4771.10)	The Commission	The Commission or the Administrator
Requiring an athlete agent to submit proof of maintaining a security for persons injured if the agent violates the Athlete Agent Law, using the funds to pay the agent's debts, and suspending the registration of an agent who fails to maintain the security (R.C. 4771.11)	The Commission	The Administrator
Receiving notification regarding the athlete agent's trust account into which the agent must deposit an athlete's revenue (R.C. 4771.12)	The Commission	The Administrator
Receiving disclosures of any ownership interest an athlete agent has in an entity to which the agent refers an athlete concerning investments (R.C. 4771.13).	The Commission	The Administrator
Requiring an athlete agent to maintain any appropriate records in connection with services the agent provides (R.C. 4771.14)	The Commission	The Commission or the Administrator
Inspecting any financial records or books an athlete agent must maintain (R.C. 4771.14)	The Commission	The Commission and the Administrator

Transfer of Ohio Athletic Commission functions under the bill		
Function	Who performs it under current law	Who performs it under the bill
Refusing to issue or renew an athlete agent registration for a reason specified under continuing law (R.C. 4771.18)	The Commission	The Administrator
Suspending or revoking an athlete agent registration on receiving notice the agent is convicted of, or pleaded guilty to, the offense of trafficking in persons (R.C. 4771.23)	The Commission	The Commission and the Administrator

Athletic law changes

In addition to the transfer of functions described above, the bill makes various other changes under the Ohio Athletic Commission Law and the Athlete Agent Law. These changes are discussed below. Like the transfers discussed above, these changes take effect 90 days after the bill's 90-day effective date.⁷

Ohio Athletic Commission Law

Investigations and discipline

The bill requires the Ohio Athletic Commission, on receiving a complaint of a violation of the Ohio Athletic Commission Law or a rule adopted under it, to investigate the complaint. If the Commission finds reasonable cause that a violation occurred, it must conduct a hearing under the Administrative Procedure Act. If the Commission finds a violation occurred, continuing law allows the Commission to revoke or suspend any license issued under the Ohio Athletic Commission Law. Consistent with the table above, as the Administrator issues licenses under the law, the bill transfers, from the Commission to the Administrator, the ability to refuse to renew a license for any reason specified under continuing law. The bill adds, as a reason for disciplining a licensee, instances where the licensee has violated the Ohio Athletic Commission Law or a rule adopted under it.⁸

⁷ Section 7.

⁸ R.C. 3773.53, by reference to R.C. Chapter 119.

Inspectors

The bill eliminates a Commission member's ability to act as an inspector of a public boxing match or exhibition. Continuing law requires that an inspector be appointed to monitor various aspects regarding a match or exhibition.⁹

Promoter's license seals

The bill changes the seal that must be placed on a promoter's license from the Commission's seal to the Department of Commerce's seal.¹⁰

Ohio Athlete Agent Law

Immunity from athlete agent acts

Under continuing law, the Commission is not liable for an athlete agent's acts. The bill applies this immunity to the Administrator.¹¹

Athlete agent registration references

The bill changes several references regarding registered athlete agents. Rather than refer to them being registered with the Ohio Athletic Commission as under current law, the bill refers to them as being registered under the Athlete Agent Law.¹²

Transfer requirements

With respect to any business commenced but not completed by the Ohio Athletic Commission's Executive Director 90 days after the bill's 90-day effective date, the bill requires that business be completed by the Director of Commerce or the Administrator in the same manner, and with the same effect, as if completed by the Executive Director. Wherever the Executive Director is referred to in any law, contract, or other document, the reference is deemed to refer to the Director of Commerce or the Administrator.

Beginning 90 days after the bill's 90-day effective date, both of the following apply:

- Subject to the lay-off provisions of the Department of Administrative Services – Personnel Law, all the Commission's employees are transferred to the Department of Commerce, and they retain their positions and all accrued benefits.
- All the Commission's employment records, equipment, and assets must be transferred to the Department.

⁹ R.C. 3773.33 and 3773.52.

¹⁰ R.C. 3773.36.

¹¹ R.C. 4771.08.

¹² R.C. 4771.02, 4771.08, 4771.16, and 4771.21.

Any action or proceeding pending 90 days after the bill's 90-day effective date must be prosecuted or defended in the name of the Director of Commerce or the Administrator. The Director or Administrator, on application to the court, must be substituted as a party.¹³

Regulatory restrictions – statewide cap

Beginning on the bill's 90-day effective date, the number of regulatory restrictions permitted in Ohio is increased by the number of regulatory restrictions contained in the Commission's rules in effect on that date. Under S.B. 9 of the 133rd General Assembly, beginning July 1, 2025, the number of regulatory restrictions contained in rules adopted by certain administrative agencies cannot exceed the number of regulatory restrictions determined by the Joint Committee on Agency Rule Review. The cap essentially is based on the number of regulatory restrictions remaining after the required reduction by those agencies.¹⁴

Appropriation

The bill appropriates \$1 million in FY 2026 for purposes of carrying out the Ohio Athletic Commission's functions. The Director of Budget and Management must transfer \$1 million from the GRF to the Occupational Licensing and Regulatory Fund. The bill reappropriates any unexpended and unencumbered portion of the appropriated amounts remaining at the end of FY 2026 for the same purpose in FY 2027.¹⁵

HISTORY

Action	Date
Introduced	10-21-25

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¹³ Section 6, by reference to R.C. 124.321 to 124.328, not in the bill, and Section 7.

¹⁴ Section 8, by reference to R.C. 121.953, not in the bill.

¹⁵ Sections 3 to 5.