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Substitute Bill Comparative Synopsis

Sub. H.B. 61

134th General Assembly

House Primary & Secondary Education

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_134_0372-1)
Verification of a participant's sex	
Requires that an athletic participant's disputed sex be established through a signed physician's statement based upon only (1) the participant's internal and external reproductive anatomy, (2) the participant's normal endogenously produced levels of testosterone, and (3) an analysis of the participant's genetic makeup. <i>(R.C. 3313.5317(C) and 3345.561(D).)</i>	No provision.
Interscholastic and intercollege single-sex athletic teams	
No provision.	Specifies that nothing in the bill's provisions may be construed to restrict the eligibility of any student to participate on any athletic teams or in athletic competitions that are designated as male or co-ed. <i>(R.C. 3313.5317(C) and 3345.561(D).)</i>
Requires state institutions of higher education and private colleges that are members of a collegiate athletics association to designate teams and sports based on the sex of participants as follows:	Same but requires that teams and sports be designated as follows: (1) Separate teams for participants of the female sex within female sports divisions;

Previous Version (As Introduced)	Latest Version (I_134_0372-1)
<p>(1) One single-sex team for participants of the female sex;</p> <p>(2) One single-sex team for participants of the male sex;</p> <p>(3) If applicable, one team for participants of both the female and male sexes. <i>(R.C. 3345.561(B).)</i></p> <p>Prohibits secondary schools, interscholastic conferences, organizations that regulate interscholastic athletics, state institutions, and private colleges from allowing individuals of the male sex to participate on athletic teams or in athletic competitions designated for only participants of the female sex. <i>(R.C. 3313.5317(B) and 3345.561(C).)</i></p>	<p>(2) Separate teams for participants of the male sex within male sports divisions;</p> <p>(3) If applicable, co-ed teams for participants of the female and male sexes within co-ed sports divisions. <i>(R.C. 3345.561(B).)</i></p> <p>Same but prohibits those entities from <i>knowingly</i> allowing individuals of the male sex to participate on athletics teams or in athletic competitions designated for only participants of the female sex.</p>
Civil action authorized	
<p>Permits an athletic participant who is subject to retaliation or other adverse action by a state institution or private college for reporting a violation of the bill's single-sex team requirements to file a civil action for injunctive relief, damages, and any other relief available. <i>(R.C. 3345.561(F)(2).)</i></p>	<p>Same but adds "athletic association" to the list of entities that an athletic participant who is subject to retaliation or other adverse action may file a civil action against. <i>(R.C. 3345.561(F)(2).)</i></p>