

As Introduced

**130th General Assembly
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H. B. No. 633

Representatives Beck, Milkovich

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To enact section 3345.57 of the Revised Code to 1
require each state or private institution of 2
higher education that sponsors intercollegiate 3
athletic sports to adopt a policy in regard to 4
drug testing student-athletes for banned 5
substances. 6

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

Section 1. That section 3345.57 of the Revised Code be 7
enacted to read as follows: 8

Sec. 3345.57. (A) The board of trustees of each state 9
institution of higher education and the governing body of each 10
private institution of higher education shall adopt a policy with 11
regard to drug testing student-athletes enrolled in that 12
institution for banned substances, if the institution sponsors 13
officially sanctioned intercollegiate athletic sports. The policy 14
shall include all of the following: 15

(1) A requirement that a drug test for banned substances be 16
administered by the institution to each student-athlete enrolled 17
in that institution both: 18

(a) During the student-athlete's annual physical examination; 19

(b) Prior to the student-athlete's participation in any 20

officially sanctioned athletic competition at the championship level, including a contest for the championship of a division, conference, or league of an intercollegiate athletic conference or a national collegiate athletic association. 21
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(2) A list of banned substances for which student-athletes will be drug tested, which shall include all substances, except alcohol, that are banned by the national collegiate athletic association for that academic year. The board shall update the list annually to reflect any necessary changes. 25
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(3) The procedure and methods used by the institution for drug testing student-athletes for banned substances, which shall be as similar as possible to the drug testing procedure and methods used by the national collegiate athletic association. 30
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(4) The penalties for any student-athlete who tests positive for a banned substance as a result of a drug test administered under this section, which shall include all of the following: 34
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(a) For the first positive test, the student-athlete shall complete an on-campus drug treatment program offered by the institution. If no such program exists, the student-athlete shall complete an off-campus drug treatment program offered by an outside entity. If the student-athlete participates in an off-campus drug treatment program, the institution shall provide transportation to and from the program and shall pay for any related expenses to the program. 37
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(b) For the second positive test, the institution shall suspend the student-athlete from participation in two officially sanctioned athletic competitions. 45
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(c) For the third positive test, the institution shall report the positive test to the chancellor of the Ohio board of regents. The chancellor shall then revoke any student financial assistance supported by state funds, as defined in section 3333.38 of the 48
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Revised Code, awarded to that student-athlete. 52

(d) For the fourth positive test, the institution shall 53
dismiss the student-athlete from the applicable athletic team and 54
prohibit the student-athlete from participating in intercollegiate 55
athletics at that institution. 56

(B) Each state or private institution of higher education 57
annually shall provide a copy of the policy adopted pursuant to 58
division (A) of this section to each student-athlete enrolled in 59
that institution. Upon receipt, each student-athlete shall sign an 60
acknowledgement of receipt of a copy of the policy. 61

(C) As used in this section: 62

(1) "State institution of higher education" has the same 63
meaning as in section 3345.011 of the Revised Code. 64

(2) "Private institution of higher education" means any of 65
the following: 66

(a) A nonprofit institution holding a certificate of 67
authorization pursuant to Chapter 1713. of the Revised Code; 68

(b) An institution holding a certificate of registration from 69
the state board of career colleges and schools and program 70
authorization for an associate or bachelor's degree program issued 71
under section 3332.05 of the Revised Code; 72

(c) A private institution exempt from regulation under 73
Chapter 3332. of the Revised Code as prescribed in section 74
3333.046 of the Revised Code. 75

(2) "Student-athlete" means any student who is enrolled in an 76
institution of higher education and who is participating at that 77
institution in an officially sanctioned intercollegiate athletic 78
sport. 79