



Ohio Revised Code

Section 3345.90

Effective: February 25, 2025

Legislation: Senate Bill 104

(A) As used in this section:

(1) "Biological sex," "family facility," and "multi-occupancy facility" have the same meanings as in section 3319.90 of the Revised Code.

(2) "Institution of higher education" has the same meaning as in section 3345.19 of the Revised Code.

(B)(1) Each institution of higher education shall designate with clear signage each student restroom, locker room, changing room, or shower room accessible by multiple students at the same time for the exclusive use by students of the male biological sex only or by students of the female biological sex only.

(2) No institution of higher education shall knowingly permit a member of the female biological sex to use a student restroom, locker room, changing room, or shower room that has been designated by the school for the exclusive use of the male biological sex. No institution of higher education shall knowingly permit a member of the male biological sex to use a student restroom, locker room, changing room, or shower room that has been designated by the school for the exclusive use of the female biological sex.

(3) No institution of higher education shall construct, establish, or maintain a multi-occupancy facility that is designated as nongendered, multigendered, or open to all genders.

Nothing in division (B)(3) of this section shall be construed to prohibit an institution of higher education from constructing, establishing, or maintaining a family facility.

(C) Nothing in this section shall be construed to prohibit an institution of higher education from establishing and enforcing a policy on the use of a multi-occupancy facility. Any policy adopted by



an institution of higher education in accordance with this section shall provide an option for alternative accommodations, including, but not limited to, the use of single-occupancy facilities or faculty facilities.

(D) The prohibition described in division (B) of this section does not apply to any of the following:

- (1) A child under the age of ten who is being assisted by a parent, guardian, or family member, as well as the parent, guardian, or family member who is assisting the child;
- (2) A person with a disability who is being assisted by another person, as well as the person providing assistance to the person with a disability;
- (3) An employee of the institution of higher education whose job duties require the employee to enter a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the employee's biological sex;
- (4) A person who enters a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the person's biological sex because the person reasonably believes the person is responding to a legitimate emergency.