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Abstract 7

Title: Colsten, B. A. (2019). Modell, money, and movement: A constitutional perspective on the Modell Law's effect on sports team relocation. *U. Tol. L.*, 51, 617.

Purpose: The article aims to explore the Modell law, which was applied by the Ohio attorney as an attempt to prohibit the Columbus Crew – a sports team, from leaving Ohio. The law is under section 9.67 of the Ohio revised code and requires teams first to allow the state to purchase it before making the final decision to relocate.

Problem: Many sports franchises aim to maximize their potential in entertaining and maximizing monetary profits. However, in peruse for the highest profit, the team may have to relocate to achieve this goal. Besides, a team's regulations may conflict with the state's laws, which may raise issues on how to resolve the clash to keep the team from moving. The principal investor of the Columbus Crew had plans to relocate the team to Austin, Texas. As such, Mike DeWine – the Ohio Attorney, decided to use the Modell law to save the crew from leaving the city.

Procedure: Mike DeWine applied the Modell law to gain support from the state to keep the team at home. The law states that any team that plays for the state's games and is financially supported by any Ohio city cannot begin to play home games in another facility. Nevertheless, a team owner who intends to relocate the franchise has to provide Ohio with a six months' notice. This notice is meant to give a chance for the highest bidders within the cities to purchase the team.

Results: The team successfully remained in Ohio as the major sports league did not intend to sell the team. Nevertheless, the Modell law was not applied to win the case as it is unconstitutional. The US constitution does not support this law because it has a discriminatory effect as it can permanently prevent an out of state entity from relocating a sports franchise. Also, the law limits the freedom of Ohio teams from relocating as they would wish.

Conclusion: The use of the Modell law to defend the Columbus Crew from relocating raised some constitutional questions regarding states' sports regulations. The law contradicts the US constitution, and if it were effective in stopping the relocation, this would have encouraged other states to enact similar laws. Besides, the law's failure in this case shows the need for better state laws to resolve future cases.