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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 586
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Greenspan and Kelly

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SUMMARY

- Require any state agency seeking to purchase supplies or services to comply with an applicable first or second procurement program.
- Prohibit any governmental ordering office from combining multiple parts of a larger related project to avoid using the procurement list maintained by community rehabilitation programs.

DETAILED ANALYSIS

Procurement programs

The bill requires a state agency seeking to purchase supplies or services to comply with an applicable first or second procurement program, such as the Ohio Penal Industries Program or the Department of Administrative Service's (DAS) Office of State Printing and Mail Services. Continuing law generally requires state agencies to utilize these procurement programs before making the purchase through other means,¹ but current law specifies that exceptions may apply under other provisions of the Revised Code. The bill removes the language allowing exceptions in an effort to subject state agencies to the requirement.²

¹ Purchase requests generally go through the Department of Administrative Services. If a purchase cannot be fulfilled through a procurement program, DAS gives a state agency a waiver.

² R.C. 125.035. Circumstances may still exist where a state agency is not required to comply with the procurement program requirement. For instance, under R.C. 125.061, an emergency may make it necessary to purchase supplies and services without utilizing the procurement programs, but the law does specify that whenever practical, a state agency should obtain a waiver from DAS before making a purchase through other means.

The Community Rehabilitations Program (CRP) is a first procurement program under continuing law, meaning a state agency must utilize CRP if possible before purchasing supplies or services through other means. In addition, counties, townships, villages, and any state entity that receives state funds, such as the General Assembly and Ohio Supreme Court, also must utilize CRP when possible. CRP suppliers offer many different types of products and services, and provide work opportunities for persons with work-limiting disabilities.³ The bill specifies that a county, township, village, or state agency/other state entity subject to the CRP requirement cannot combine multiple parts of a larger related project that may include the purchase of supplies or services in order to avoid the CRP requirement. They must determine whether any specifications for purchases for supplies and services, in whole or in part, includes supplies or services available through a CRP supplier.⁴

HISTORY

Action	Date
Introduced	03-24-20

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³ <https://das.ohio.gov/Divisions/General-Services/Procurement-Services/Community-Rehabilitation-Programs>.

⁴ R.C. 125.607.