

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 260

Senator Lang

A BILL

To amend section 9.48 of the Revised Code to expand 1
political subdivision joint purchasing authority 2
to expressly include purchases for construction 3
services. 4

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

Section 1. That section 9.48 of the Revised Code be 5
amended to read as follows: 6

Sec. 9.48. (A) As used in this section, ~~"political:~~ 7

"Political subdivision" has the same meaning as in section 8
2744.01 of the Revised Code and includes a county hospital as 9
defined in section 339.01 of the Revised Code. 10

"Services" includes, but is not limited to, construction 11
services. 12

(B) A political subdivision may do any of the following: 13

(1) Permit one or more other political subdivisions to 14
participate in contracts into which it has entered for the 15
acquisition of equipment, materials, supplies, or services, and 16
may charge such participating political subdivisions a 17
reasonable fee to cover any additional costs incurred as a 18

result of their participation; 19

(2) Participate in a joint purchasing program operated by 20
or through a national or state association of political 21
subdivisions in which the purchasing political subdivision is 22
eligible for membership. 23

(3) Participate in contract offerings from the federal 24
government that are available to a political subdivision 25
including, but not limited to, contract offerings from the 26
general services administration. 27

(C) Acquisition by a political subdivision of equipment, 28
material, supplies, or services, through participation in a 29
contract of another political subdivision or participation in an 30
association program under division (B) (1) or (2) of this 31
section, is exempt from any competitive selection requirements 32
otherwise required by law, if the contract in which it is 33
participating was awarded pursuant to a publicly solicited 34
request for a proposal or a competitive selection procedure of 35
another political subdivision within this state or in another 36
state. Acquisition by a political subdivision of equipment, 37
materials, supplies, or services pursuant to division (B) (3) of 38
this section is exempt from any competitive selection 39
requirements otherwise required by law. No political subdivision 40
shall acquire equipment, materials, supplies, or services by 41
participating in a contract under this section if it has 42
received bids for such acquisition, unless its participation 43
enables it to make the acquisition upon the same terms, 44
conditions, and specifications at a lower price. 45

(D) A political subdivision that is eligible to 46
participate in a joint purchasing program operated by or through 47
a national or state association of political subdivisions in 48

which the purchasing political subdivision is eligible for 49
membership may purchase supplies or services from another party, 50
including another political subdivision, instead of through 51
participation in contracts authorized by division (B) (2) of this 52
section if the political subdivision can purchase those supplies 53
or services from the other party upon equivalent terms, 54
conditions, and specifications but at a lower price than it can 55
through those contracts. Purchases that a political subdivision 56
makes under this division are exempt from any competitive 57
selection procedures otherwise required by law. A political 58
subdivision that makes any purchase under this division shall 59
maintain sufficient information regarding the purchase to verify 60
that it satisfied the conditions for making a purchase under 61
this division. Nothing in this division restricts any action 62
taken by a political subdivision as authorized by division (B) 63
(1) of this section. 64

(E) The authorization granted to a municipal corporation 65
under this section shall be in addition to, and not in 66
derogation of, the powers and authority granted by state law, 67
the Ohio Constitution, and the provisions of a municipal 68
charter, ordinance, or resolution. 69

Section 2. That existing section 9.48 of the Revised Code 70
is hereby repealed. 71