



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 202
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. T. Hall

Daniel DeSantis, Research Analyst

SUMMARY

- Establishes the Joint Legislative Information Technology Oversight Committee.
- Requires the Director of Budget and Management annually to prepare a report on the total expenditures of each state agency on information technology systems and services.
- Authorizes state procurement of services and supplies through online marketplaces.
- Specifies prohibited provisions with respect to a contract for the purchase of software.

DETAILED ANALYSIS

Joint Legislative Information Technology Oversight Committee

The bill establishes the Joint Legislative Information Technology Oversight Committee. The Committee's primary task is to review the annual report of the Director of Budget and Management (OBM) that is describe below under "**Information technology systems and services procurement reports.**" The Committee may require the Director and the State Chief Information Officer¹ to appear and testify before the Committee.

The Committee is required to meet at least once every six months at the call of the chairperson.

Membership

The Committee consists of the following members:

- Three members of the Senate appointed by the Senate President, two of whom are members of the majority party and one of whom is a member of the minority party;

¹ The State Chief Information Officer is appointed under R.C. 125.18, not in the bill.

- Three members of the House of Representatives appointed by the Speaker of the House, two of whom are members of the majority party and one of whom is a member of the minority party.

The term of each member begins on the day of appointment to the Committee and ends on the last day of the member's term in the general assembly during which the member was appointed to the Committee. The Senate President and Speaker of the House must make appointments not later than 15 days after the commencement of the first regular session of each general assembly. A vacancy is filled in the same manner as the original appointment.

In odd-numbered years, the Speaker designates one of the majority members from the House as the chairperson of the Committee. In even-numbered years, the Senate President designates one of the majority members from the Senate as the chairperson.

In appointing members from the minority, and in designating ranking minority members, the President and Speaker must consult with the minority leader of their respective houses.²

Information technology systems and services procurement reports

The bill requires that the OBM Director annually prepare a report for the General Assembly. The report must include the total expenditures of each state agency on information technology systems and services for the previous fiscal year. Under the bill, "information technology systems and services" includes the following:

- Internet service;
- Information technology hardware, software, security, services, and staff;
- Contracts for any services to maintain and repair information technology systems;
- Projects undertaken with respect to information technology.³

The report also must include any additional information requested by the chairperson of the Joint Legislative Information Technology Oversight Committee. Each state agency must submit to the OBM Director information the Director requires so that the Director can comply with this requirement.⁴

Online marketplace

The bill authorizes the Director of Administrative Services (DAS) to purchase services via an online marketplace whenever the Director determines that the procurement through the online marketplace is advantageous to the state. The Director must adopt rules under the Administrative Procedure Act⁵ to govern the purchases. The Director also, by rule, can permit a

² R.C. 101.37.

³ R.C. 101.37.

⁴ R.C. 126.024.

⁵ Chapter 119 of the Revised Code, not in the bill.

state agency that is authorized to procure services or supplies directly to purchase them via an online marketplace in the same manner as DAS.⁶ Any procurement through an online marketplace must comply with existing competitive selection procurement law.⁷

Under the bill, “online marketplace” means any person or entity that operates a consumer-directed electronically based or accessed platform that meets the following criteria:

- It includes features that allow for, facilitate, or enable third party sellers to engage in the sale, purchase, payment, storage, shipping, or delivery of a consumer product in Ohio.
- It is used by one or more third party sellers for these purposes.
- It has a contractual or similar relationship with consumers governing their use of the platform to purchase consumer products.⁸

Software purchases

The bill prohibits a state agency from entering into a contract for a software application that limits the agency’s ability to choose the hardware or cloud platform on which the software runs. This provision applies to software designed to run on generally available desktop or server hardware or cloud platforms.⁹

HISTORY

Action	Date
Introduced	03-26-25

ANHB0202IN-136/ks

⁶ R.C. 125.074.

⁷ R.C. 125.05, not in the bill.

⁸ R.C. 1349.65, not in the bill.

⁹ R.C. 9.27.