

**As Reported by the House Development Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Sub. H. B. No. 284**

**Representatives Hiner, White, E.**

**Cosponsors: Representatives Williams, Johnson, Ferguson, Fischer, Sweeney,  
Miller, K., Brennan, Gross, Robb Blasdel, Demetriou, Mathews, T.**

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To amend sections 153.011, 153.99, 3333.071, and 5525.21 of the Revised Code to require iron or steel that is produced in the United States be used on projects supported by state funds.

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

**Section 1.** That sections 153.011, 153.99, 3333.071, and 5525.21 of the Revised Code be amended to read as follows:

**Sec. 153.011.** (A) Except as provided in division (D) of this section, whenever any building ~~or~~, structure, or infrastructure, including highway improvements, and utility infrastructure improvement projects involving water works or sewage disposal, in whole or in part supported by state ~~capital~~ funds, ~~including moneys from the education facilities trust fund,~~ is to be erected or constructed, or whenever additions, alterations, or structural or other improvements are to be made, if any iron or steel products are to be purchased ~~for~~ or provided for permanent incorporation in the construction, maintenance, repair, or improvement project, only iron or steel products produced in the United States as defined in division ~~(F)~~ (G) of this section shall be purchased ~~for~~ or provided for

permanent incorporation in the project. 20

(B) (1) No person shall purchase or provide iron or steel 21  
products in violation of division (A) of this section. 22

(2) Notwithstanding division (B) of section 153.99 of the 23  
Revised Code, no person who purchases iron or steel products in 24  
violation of division (A) of this section shall be held liable 25  
in a civil action commenced under division (C) of this section, 26  
or pay a civil penalty under division (B) of section 153.99 of 27  
the Revised Code, if that person can demonstrate the person's 28  
compliance with division (E) of this section. 29

(C) Whenever the executive director of the Ohio facilities 30  
construction commission has reasonable cause to believe that any 31  
person has purchased or provided iron or steel products in 32  
violation of division (A) of this section, the executive 33  
director shall conduct an investigation to determine whether the 34  
person has purchased or provided or is purchasing or providing\_ 35  
iron or steel products in violation of division (A) of this 36  
section. Upon conducting the investigation, if the executive 37  
director finds that the person has purchased or provided or is 38  
purchasing or providing iron or steel products in violation of 39  
division (A) of this section, the executive director shall 40  
request the attorney general to commence a civil action under 41  
this section against the person for violating division (A) of 42  
this section. The remedy provided in this section is concurrent 43  
with any other remedy provided in this chapter, and the 44  
existence or exercise of one remedy does not prevent the 45  
exercise of any other. Upon collection of the civil penalty 46  
under division (B) of section 153.99 of the Revised Code, 47  
pursuant to an action authorized under this section, the 48  
attorney general shall pay the money collected to the treasurer 49

of the board of education of the city, local, or exempted 50  
village school district and joint vocational school district, if 51  
one exists, in which the construction, repair, or improvement 52  
project for which the iron or steel products used in violation 53  
of division (A) of this section is located. The treasurer shall 54  
deposit the civil penalty in equal amounts into the school 55  
district's general fund and the joint vocational school 56  
district's general fund. If a joint vocational school district 57  
does not exist where the violation occurred, then the entire sum 58  
of the civil penalty shall be deposited into the school 59  
district's general fund. 60

~~(D)~~(D) (1) Pursuant to section 5525.21 of the Revised Code, 61  
the director of transportation may authorize the purchase or 62  
provision or both of a minimal amount of foreign iron or steel 63  
products for use in contracts for public bridge projects. 64

The executive director of the Ohio facilities construction 65  
commission may waive the requirements of division (A) of this 66  
section if the executive director determines that either 67  
division (A) or (B) of section 5525.21 of the Revised Code is 68  
true in connection with a public bridge project. The executive 69  
director shall issue this determination in writing. 70

(2) (a) Notwithstanding rules adopted by the director of 71  
administrative services under division (B) of section 125.09 of 72  
the Revised Code, the state agency that supports a project 73  
described in division (A) of this section with state funds may, 74  
except with respect to public bridge projects described under 75  
division (D) (1) of this section, waive the requirements of 76  
division (A) of this section if any of the following apply: 77

(i) Applying the requirements of division (A) of this 78  
section would be inconsistent with the public interest; 79

(ii) Iron or steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; 80  
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(iii) Inclusion of iron or steel products produced in the United States will increase the cost of the overall project by more than twenty-five per cent. 83  
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(b) (i) A waiver under division (D) (2) (a) of this section shall be issued in writing and shall include an explanation of the applicability of one or more of the factors listed under division (D) (2) (a) of this section. 86  
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(ii) The Ohio facilities construction commission shall create and make available a standardized form that state agencies may use to issue waivers pursuant to division (D) (2) (b) (i) of this section. 90  
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(3) Except as otherwise provided under division (D) (1) of this section, the purchase or provision of iron or steel products not produced in the United States is not prohibited by this section if either of the following is true: 94  
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(a) The iron or steel products not produced in the United States are not separately identified in the project specifications, and the cost of iron or steel products not produced in the United States does not exceed one-tenth of one per cent of the project's total iron and steel material costs or two thousand five hundred dollars, whichever is greater. 98  
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(b) The iron or steel product not produced in the United States is a component comprising five per cent or less of the total materials cost of an iron or steel product that is otherwise produced in the United States. 104  
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(E) The following notice shall be included in boldface 108

type and capital letters in all bid notifications and 109  
specifications between all parties to any contract authorized 110  
under Chapter 153. of the Revised Code or subject to this 111  
section and section 153.99 of the Revised Code: "Domestic iron 112  
and steel use requirements as specified in section 153.011 of 113  
the Revised Code apply to this project. Copies of section 114  
153.011 of the Revised Code can be obtained from the office of 115  
the Ohio facilities construction commission." 116

(F) Rules adopted by the director of administrative 117  
services, under division (B) of section 125.09 of the Revised 118  
Code, shall prescribe criteria and procedures for use by all 119  
state agencies in giving a preference for iron or steel products 120  
produced in the United States as required by this section. 121

(G) As used in this section: 122

(1) ~~"Steel Iron or steel products" means products rolled,~~ 123  
~~formed, shaped, drawn, extruded, forged, cast, fabricated or~~ 124  
~~otherwise similarly processed, or processed by a combination of~~ 125  
~~two or more of such operations, and used for load-bearing~~ 126  
~~structural purposes, from steel made in the United States by the~~ 127  
~~open hearth, basic oxygen, electric furnace, bessemer or other~~ 128  
~~steel making process~~any product made primarily of iron or steel, 129  
including, but not limited to, lined or unlined pipes and 130  
fittings; bars and rods; wire, wire ropes, and link chains; 131  
forgings; grating and drainage products; access covers, hatches, 132  
manhole covers, and other castings; hydrants; electric 133  
transmission and distribution poles; tanks; flanges; pipe clamps 134  
and restraints; valves; structural steel and other steel mill 135  
products; materials made primarily of iron or steel within 136  
precast concrete; and other construction materials made 137  
primarily of iron or steel. Except for applications involving 138

waterworks products, sewer products, plumbing products, or 139  
electric transmission and distribution poles or posts, "iron or 140  
steel products" does not mean electrical components, equipment, 141  
systems, or appurtenances, including supports, shielding, and 142  
other appurtenances related to an electrical system, necessary 143  
for operation or concealment. 144

(2) "United States" means the United States of America and 145  
includes all territory, continental or insular, subject to the 146  
jurisdiction of the United States. 147

(3) "Made primarily of iron or steel" means composed 148  
primarily of greater than fifty per cent iron or steel measured 149  
by component cost, volume, or weight. 150

(4) "Produced in the United States" means that, with 151  
respect to iron and steel, all manufacturing processes, from the 152  
initial melting stage, occur in the United States, other than 153  
metallurgical processes to refine steel additives. 154

(5) "State agency" has the same meaning as in section 155  
153.03 of the Revised Code. 156

**Sec. 153.99.** (A) Whoever violates section 153.58 of the 157  
Revised Code shall be fined not more than one thousand dollars. 158

(B) A person who purchases or provides iron or steel 159  
products in violation of division (A) of section 153.011 of the 160  
Revised Code shall pay a civil penalty equal to one and one-half 161  
times the purchase price of the iron or steel products purchased 162  
or provided in violation of that section. 163

**Sec. 3333.071.** (A) Notwithstanding section 3345.16 of the 164  
Revised Code, no expenditure shall be made for land for higher 165  
education purposes by public institutions of higher education or 166  
agents of such institutions from any fund without the approval 167

of the chancellor of higher education and the controlling board. 168  
No state appropriation for capital improvements shall be 169  
released by the controlling board for the purchase of land or 170  
buildings from any organization or corporation which has been 171  
established to benefit or assist the institution, except that 172  
such releases may be made if the land is to be used for a 173  
currently state-financed improvement. 174

(B) Any state institution of higher education project that 175  
is supported in whole or in part by state funds shall comply 176  
with section 153.011 of the Revised Code. 177

**Sec. 5525.21.** In conjunction with the requirements of 178  
section 153.011 of the Revised Code, the director of 179  
transportation may, in connection with any bridge project for 180  
which a contract has been entered into, authorize in writing the 181  
use of a minimal amount of foreign iron or steel products if 182  
either of the following is true: 183

(A) The cost for each contract item used does not exceed 184  
one-tenth of one per cent of the total contract cost, or two 185  
thousand five hundred dollars, whichever is greater. For the 186  
purposes of this section, the cost is the value of the iron or 187  
steel product as delivered to the project. 188

(B) The director determines that specified iron or steel 189  
materials are not produced in the United States in sufficient 190  
quantity or otherwise are not reasonably available to meet 191  
contract requirements. 192

**Section 2.** That existing sections 153.011, 153.99, 193  
3333.071, and 5525.21 of the Revised Code are hereby repealed. 194