

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 145

Representatives Hall, Lampton

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A BILL

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

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

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

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

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

"Professional design services" means services within the  
scope of practice of an architect or landscape architect  
registered under Chapter 4703. of the Revised Code or a  
professional engineer or surveyor registered under Chapter 4733.  
of the Revised Code.

"Services" includes construction services, but does not  
include professional design services.

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

(1) Permit one or more other political subdivisions to 19  
participate in contracts into which it has entered for the 20  
acquisition of equipment, materials, supplies, or services, and 21  
may charge such participating political subdivisions a 22  
reasonable fee to cover any additional costs incurred as a 23  
result of their participation; 24

(2) Participate in a joint purchasing program operated by 25  
or through a national or state association of political 26  
subdivisions in which the purchasing political subdivision is 27  
eligible for membership. 28

(3) Participate in contract offerings from the federal 29  
government that are available to a political subdivision 30  
including, but not limited to, contract offerings from the 31  
general services administration. 32

(C) Acquisition by a political subdivision of equipment, 33  
material, supplies, or services, through participation in a 34  
contract of another political subdivision or participation in an 35  
association program under division (B) (1) or (2) of this 36  
section, is exempt from any competitive selection requirements 37  
otherwise required by law, if the contract in which it is 38  
participating was awarded pursuant to a publicly solicited 39  
request for a proposal or a competitive selection procedure of 40  
another political subdivision within this state or in another 41  
state. Acquisition by a political subdivision of equipment, 42  
materials, supplies, or services pursuant to division (B) (3) of 43  
this section is exempt from any competitive selection 44  
requirements otherwise required by law. No political subdivision 45  
shall acquire equipment, materials, supplies, or services by 46  
participating in a contract under this section if it has 47  
received bids for such acquisition, unless its participation 48

enables it to make the acquisition upon the same terms, 49  
conditions, and specifications at a lower price. 50

(D) A political subdivision that is eligible to 51  
participate in a joint purchasing program operated by or through 52  
a national or state association of political subdivisions in 53  
which the purchasing political subdivision is eligible for 54  
membership may purchase supplies or services from another party, 55  
including another political subdivision, instead of through 56  
participation in contracts authorized by division (B) (2) of this 57  
section if the political subdivision can purchase those supplies 58  
or services from the other party upon equivalent terms, 59  
conditions, and specifications but at a lower price than it can 60  
through those contracts. Purchases that a political subdivision 61  
makes under this division are exempt from any competitive 62  
selection procedures otherwise required by law. A political 63  
subdivision that makes any purchase under this division shall 64  
maintain sufficient information regarding the purchase to verify 65  
that it satisfied the conditions for making a purchase under 66  
this division. Nothing in this division restricts any action 67  
taken by a political subdivision as authorized by division (B) 68  
(1) of this section. 69

(E) The authorization granted to a municipal corporation 70  
under this section shall be in addition to, and not in 71  
derogation of, the powers and authority granted by state law, 72  
the Ohio Constitution, and the provisions of a municipal 73  
charter, ordinance, or resolution. 74

**Section 2.** That existing section 9.48 of the Revised Code 75  
is hereby repealed. 76