

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 487

Representative Young, T.

Cosponsors: Representatives Ray, Seitz, White

A BILL

To amend sections 3505.13 and 3505.14 of the 1
Revised Code to change the bidding process for 2
contracts for ballot printing, to eliminate the 3
requirement that all contracts for ballots for 4
Ohio elections are rewarded to vendors within 5
the state and printed within the state, and to 6
declare an emergency. 7

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

Section 1. That sections 3505.13 and 3505.14 of the 8
Revised Code be amended to read as follows: 9

Sec. 3505.13. (A) A contract for the printing of ballots 10
involving a cost in excess of twenty-five thousand dollars shall 11
not be ~~let~~ awarded until after ~~five days'~~ a proposal period of 12
fifteen days. During the proposal period, a notice shall be 13
published once in a newspaper of general circulation published 14
in the county and posted electronically by email or other 15
electronic means by the board of elections, or ~~upon notice shall~~ 16
be given by mail by the board of elections, addressed to the 17
responsible printing offices ~~within the state.~~ 18

~~Except (B) Except as otherwise provided in this section,~~ 19
~~each bid proposal for such printing a contract described in~~ 20
~~division (A) of this section must be accompanied by a bid bond~~ 21
~~with at least two sureties, or a surety company, satisfactory to~~ 22
~~the board, in a sum double of ten per cent of the amount of the~~ 23
~~bid, conditioned upon the faithful performance of the contract~~ 24
~~for such printing as is awarded and for the payment as damages~~ 25
~~by such bidder to the board of any excess of cost over the bid~~ 26
~~which it may be obliged to pay for such work by reason of the~~ 27
~~failure of the bidder to complete the contract proposal.~~ 28
~~No bid~~ 29
~~proposal unaccompanied by such bid bond shall be considered by~~ 30
~~the board. The board may, however, waive the requirement that~~ 31
~~each bid be accompanied by a bond if the cost of the contract is~~ 32
~~twenty-five thousand dollars or less.~~

~~The (C) The contract shall be let awarded to the lowest~~ 33
~~most qualified responsible bidder in the state. All ballots~~ 34
~~shall be printed within the state proposer that meets the minimum~~ 35
~~standards established by the secretary of state under division~~ 36
~~(D) of this section. The proposer shall post a performance bond~~ 37
~~equal to one hundred per cent of a single election's contract~~ 38
~~amount. If the contract is for multiple elections, then the~~ 39
~~board instead may require the proposer to post a performance~~ 40
~~bond of a sum equal to one hundred per cent of the board's~~ 41
~~estimated ballot printing costs for the largest election to be~~ 42
~~conducted during the contract period. The board may, however,~~ 43
~~waive the performance bond requirement if the cost of the~~ 44
~~contract is twenty-five thousand dollars or less.~~ 45

~~(D) The secretary of state shall adopt rules establishing~~ 46
~~printing, mailing, and security standards for vendors that print~~ 47
~~ballots under contracts entered into under this section, in~~ 48
~~accordance with Chapter 119. of the Revised Code.~~ 49

Sec. 3505.14. After the ~~letting~~awarding of the contract 50
for the printing of the ballots as provided in section 3505.13 51
of the Revised Code, the board of elections shall secure from 52
the printer printed proofs of the ballot, and shall notify the 53
~~chairman~~chairperson of the local executive committee of each 54
party or group represented on the ballot by candidates or 55
issues, and post such proofs in a public place in the office of 56
the board for a period of at least twenty-four hours for 57
inspection and correction of any errors appearing thereon. The 58
board shall cause such proofs to be read with care and after 59
correcting any errors shall return the corrected copy to the 60
printer. 61

Section 2. That existing sections 3505.13 and 3505.14 of 62
the Revised Code are hereby repealed. 63

Section 3. This act is hereby declared to be an emergency 64
measure necessary for the immediate preservation of the public 65
peace, health, and safety. The reason for such necessity is to 66
alleviate the effect of unprecedented supply chain shortages, 67
especially in paper, on Ohio's electoral process. Therefore, 68
this act shall go into immediate effect. 69