

As Reported by the House Government Oversight Committee

134th General Assembly

Regular Session

2021-2022

Am. H. B. No. 487

Representative Young, T.

Cosponsors: Representatives Ray, Seitz, White

A BILL

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

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

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

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

~~Except~~ (B) Except as otherwise provided in this section,

~~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. No bid~~ 28
~~proposal unaccompanied by such bid bond shall be considered by~~ 29
~~the board. The board may, however, waive the requirement that~~ 30
~~each bid be accompanied by a bond if the cost of the contract is~~ 31
~~twenty five thousand dollars or less.~~ 32

~~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.~~ 43

~~(D) The secretary of state shall adopt rules establishing~~ 44
~~printing, mailing, and security standards for vendors that print~~ 45
~~ballots under contracts entered into under this section, in~~ 46
~~accordance with Chapter 119. of the Revised Code.~~ 47

Sec. 3505.14. After the ~~letting~~ awarding of the contract 48
for the printing of the ballots as provided in section 3505.13 49

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

Section 2. That existing sections 3505.13 and 3505.14 of 60
the Revised Code are hereby repealed. 61

Section 3. This act is hereby declared to be an emergency 62
measure necessary for the immediate preservation of the public 63
peace, health, and safety. The reason for such necessity is to 64
alleviate the effect of unprecedented supply chain shortages, 65
especially in paper, on Ohio's electoral process. Therefore, 66
this act shall go into immediate effect. 67