

**As Introduced**

**134th General Assembly  
Regular Session  
2021-2022**

**H. B. No. 275**

**Representative Lampton  
Cosponsors: Representatives Seitz, White, Riedel**



**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.

"Services" includes, but is not limited to, construction services.

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

(1) Permit one or more other political subdivisions to participate in contracts into which it has entered for the acquisition of equipment, materials, supplies, or services, and may charge such participating political subdivisions a

reasonable fee to cover any additional costs incurred as a 18  
result of their participation; 19

(2) Participate in a joint purchasing program operated by 20  
or through a national or state association of political 21  
subdivisions in which the purchasing political subdivision is 22  
eligible for membership. 23

(3) Participate in contract offerings from the federal 24  
government that are available to a political subdivision 25  
including, but not limited to, contract offerings from the 26  
general services administration. 27

(C) Acquisition by a political subdivision of equipment, 28  
material, supplies, or services, through participation in a 29  
contract of another political subdivision or participation in an 30  
association program under division (B) (1) or (2) of this 31  
section, is exempt from any competitive selection requirements 32  
otherwise required by law, if the contract in which it is 33  
participating was awarded pursuant to a publicly solicited 34  
request for a proposal or a competitive selection procedure of 35  
another political subdivision within this state or in another 36  
state. Acquisition by a political subdivision of equipment, 37  
materials, supplies, or services pursuant to division (B) (3) of 38  
this section is exempt from any competitive selection 39  
requirements otherwise required by law. No political subdivision 40  
shall acquire equipment, materials, supplies, or services by 41  
participating in a contract under this section if it has 42  
received bids for such acquisition, unless its participation 43  
enables it to make the acquisition upon the same terms, 44  
conditions, and specifications at a lower price. 45

(D) A political subdivision that is eligible to 46  
participate in a joint purchasing program operated by or through 47

a national or state association of political subdivisions in 48  
which the purchasing political subdivision is eligible for 49  
membership may purchase supplies or services from another party, 50  
including another political subdivision, instead of through 51  
participation in contracts authorized by division (B) (2) of this 52  
section if the political subdivision can purchase those supplies 53  
or services from the other party upon equivalent terms, 54  
conditions, and specifications but at a lower price than it can 55  
through those contracts. Purchases that a political subdivision 56  
makes under this division are exempt from any competitive 57  
selection procedures otherwise required by law. A political 58  
subdivision that makes any purchase under this division shall 59  
maintain sufficient information regarding the purchase to verify 60  
that it satisfied the conditions for making a purchase under 61  
this division. Nothing in this division restricts any action 62  
taken by a political subdivision as authorized by division (B) 63  
(1) of this section. 64

(E) The authorization granted to a municipal corporation 65  
under this section shall be in addition to, and not in 66  
derogation of, the powers and authority granted by state law, 67  
the Ohio Constitution, and the provisions of a municipal 68  
charter, ordinance, or resolution. 69

**Section 2.** That existing section 9.48 of the Revised Code 70  
is hereby repealed. 71