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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 23  
135<sup>th</sup> General Assembly

## Bill Analysis

[Click here for S.B. 23's Fiscal Note](#)

**Version:** As Reported by Senate Government Oversight

**Primary Sponsor:** Sen. Lang

Abby McMahon, Attorney

### SUMMARY

- Expands political subdivision joint purchasing authority to expressly include purchases for construction services.
- Specifies political subdivision joint purchasing authority does not include purchases for professional design services.

### DETAILED ANALYSIS

#### Political subdivision joint purchasing authority

Currently, a political subdivision may permit another political subdivision to participate in a contract that it entered for the acquisition of equipment, material, supplies, or services. The bill specifies that “services” includes construction services, but does not include professional design services. The bill defines professional design services as services within the scope of practice of an architect, landscape architect, professional engineer, or professional surveyor.

Acquisitions by a political subdivision participating in a contract entered into by another political subdivision are exempt from any competitive selection requirements in continuing law, provided the political subdivision that originally awarded the contract did so after publicly soliciting requests for a proposal or used a competitive selection procedure.<sup>1</sup>

In a 2019 opinion, the Ohio Attorney General concluded that current law does not authorize a political subdivision to acquire construction services through a joint contract with another political subdivision.<sup>2</sup>

<sup>1</sup> R.C. 9.48.

<sup>2</sup> [Opinion No. 2019-028](#), available on the Ohio Attorney General’s website: [ohioattorneygeneral.gov](http://ohioattorneygeneral.gov).

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## HISTORY

Action	Date
Introduced	01-18-23
Reported, S. Gov't Oversight	04-19-23

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