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H.B. 487*
134th General Assembly

Bill Analysis

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Version: As Reported by Senate Local Government and Elections

Primary Sponsor: Rep. T. Young

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SUMMARY

- Changes the process by which a board of elections must award any ballot printing contract worth more than \$25,000.
- Allows the board to award the contract to an out-of-state vendor.
- Requires the board to allow a request for proposals period of at least 15 days, and allows the board to post electronic notices in addition to newspaper and mailed notices.
- Reduces the amount of the bond that must be included with each proposal.
- Requires the Secretary of State to adopt rules establishing printing, mailing, and security standards for ballot printing vendors.

DETAILED ANALYSIS

The bill changes the process by which a board of elections must award any ballot printing contract worth more than \$25,000. (Under continuing law, the boards of elections may award contracts worth \$25,000 or less without competitive bidding.)

First, the bill allows the board to award the contract to an out-of-state vendor. Existing law requires all ballots to be printed in Ohio. Under the bill, the board must issue a request for proposals and allow a proposal period of at least 15 days. The board must publish a notice at least once in a newspaper of general circulation published in the county. The board also may post the notice electronically, mail notices to the responsible printing offices, or both. Existing law requires the board either to give five days' newspaper notice or to mail notices to eligible printing offices before awarding the contract.

* This analysis was prepared before the report of the Senate Local Government and Elections Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

The bill also reduces the amount of the bond that must be included with each proposal. Under the bill, each proposal must be accompanied by a bid bond equal to 10% of the amount of the proposal. If a vendor's proposal is selected, the vendor then must post a performance bond equal to the full contract amount for a single election. If the contract is for more than one election, the performance bond must equal the full contract amount for the largest election included in the contract period. By contrast, current law requires each bid to include a surety bond in a sum double the amount of the bid.

Finally, the bill requires the Secretary of State to adopt rules under the Administrative Procedure Act establishing printing, mailing, and security standards for ballot printing vendors. The board must award the contract to the most qualified responsible proposer that meets those minimum standards. Existing law specifies that the board must award the contract to the lowest responsible bidder.¹

HISTORY

Action	Date
Introduced	11-10-21
Reported, H. Government Oversight	03-02-22
Passed House (82-13)	03-23-22
Reported, S. Local Government and Elections	---

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¹ R.C. 3503.13 and conforming change in R.C. 3513.14.