



Ohio Revised Code

Section 9.28 Competitive solicitation as public record.

Effective: April 6, 2017

Legislation: Senate Bill 227 - 131st General Assembly

(A) As used in this section:

(1) "Competitive solicitation" means a request for proposal or any other solicitation or announcement by a public office requiring bids or proposals for the provision of goods or services to that office.

(2) "Public office" includes any state agency, public institution, political subdivision, or other organized body, office, agency, institution, or entity established by the laws of this state for the exercise of any function of government. "Public office" does not include the nonprofit corporation formed under section 187.01 of the Revised Code.

(3) "State agency" includes every department, bureau, board, commission, office, or other organized body established by the constitution and laws of this state for the exercise of any function of state government, including any state-supported institution of higher education, the general assembly, any legislative agency, any court or judicial agency, or any political subdivision or agency of a political subdivision. "State agency" does not include the nonprofit corporation formed under section 187.01 of the Revised Code.

(B) Except as provided in division (C) of this section, materials submitted to a public office in response to a competitive solicitation shall not be considered public records for purposes of section 149.43 of the Revised Code until the date the public office announces the award of a contract based on the competitive solicitation or the cancellation of the competitive solicitation.

(C) If a public office rejects all bids or proposals received in response to a competitive solicitation and, concurrently with the announcement of the rejection gives notice of its intent to reissue the solicitation, the materials submitted in response to the original competitive solicitation and the materials submitted in response to the reissued competitive solicitation shall not be considered public records for purposes of section 149.43 of the Revised Code until the date the public office announces the award of a contract based on the reissued competitive solicitation or the cancellation of the



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #243550

reissued competitive solicitation.