Ohio Revised Code

Section 9.28 Competitive selection as public record.

Effective: September 30, 2025

Legislation: House Bill 96 - 136th General Assembly

(A) As used in this section:

(1) "Competitive selection" means the procedures for making purchases as defined in section 125.01 of the Revised Code.

(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 relating to a solicitation through competitive selection shall not be considered public records under section 149.43 of the Revised Code until after the award of the contract based on the competitive selection.

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