

As Introduced

126th General Assembly

Regular Session

2005-2006

S. B. No. 13

Senators Fedor, Brady, Dann, Fingerhut, Hagan, Miller, Mallory,
Prentiss, Roberts, Wilson, Zurz

A BILL

To enact sections 125.112, 153.02, and 166.25 of the Revised Code to require that contracts with the state specify that labor or services are to be performed within the United States; to require a person performing a contract certify compliance with this requirement and that any supplies to be provided pursuant to the contract will be provided from a location within the United States; and to prohibit awarding contracts with the state or giving state financial assistance, including tax incentives, loans, loan guarantees, or grants, for five years to employers that have had a net loss of jobs due to the relocation of jobs from Ohio to locations outside the United States.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 125.112, 153.02, and 166.25 of the Revised Code be enacted to read as follows:

Sec. 125.112. (A) Neither the department of administrative services nor any state agency shall award a contract not requiring all of the following:

(1) Any labor or services performed in connection with the contract are to be performed at a location within the United States.

(2) Certification be obtained from the person performing the contract specifying that the person will comply with division (A) of this section and that any supplies to be provided pursuant to the contract will be provided from a location within the United States;

(3) If during the contract, a person performing the contract shifts labor or services to, or receives supplies from, a location not within

the United States, that the contract shall be terminated for noncompliance with division (A) of this section, and the person shall forfeit to the department of administrative services or the state agency any amount paid by the department of administrative services or the state agency for the percentage of labor, services, or supplies provided at or from a location not within the United States.

(B) Neither the department of administrative services nor any state agency shall award a contract to any employer for five years after the employer has had a net loss of employees in this state in the preceding calendar year because of the relocation by the employer of jobs from this state to a location outside the United States.

Sec. 153.02. (A) No state agency shall enter into any contract for the construction, reconstruction, improvement, enlargement, alteration, repair, painting, or decoration of a public improvement, including any highway improvement, that is supported in whole or in part by state funds, which contract does not require all of the following:

(1) Any labor or services performed in connection with the contract are to be performed at a location within the United States.

(2) Certification be obtained from the person performing the contract specifying that the person will comply with division (A)(1) of this section and that any supplies to be provided pursuant to the contract will be provided from a location within the United States;

(3) If during the contract, a person performing the contract shifts labor or services to, or receives supplies from, a location not within the United States, that the contract shall be terminated for noncompliance with division (A) of this section, and the person shall forfeit to the state agency any amount paid by the state agency for the percentage of labor, services, or supplies provided at or from a location not within the United States.

(B) For five years after an employer has had a net loss of employees in this state in the preceding calendar year because of the relocation by the employer of jobs from this state to a location outside the United States, no state agency shall enter into any contract with the employer for the construction, reconstruction, improvement, enlargement, alteration, repair, painting, or decoration of a public improvement, including any highway improvement, that is supported in whole or in part by state funds.

Sec. 166.25. (A) As used in this section, "economic development financial assistance" means financial assistance intended to promote

the economic welfare and improve the economic opportunities for people in this state by assisting in the establishment or expansion within the state of industrial, commercial, or research facilities and by creating and preserving job and employment opportunities for people in this state.

(B) Notwithstanding other provisions in the Revised Code, for five years after an employer has had a net loss of employees in this state in the preceding calendar year because of the relocation by the employer of jobs from this state to a location outside the United States, no state tax incentives, including state tax credits or state tax deductions, and no loans, loan guarantees, or grants awarded by the state, which incentives, loans, loan guarantees, or grants are provided in connection with economic development financial assistance provided or administered by the department of development or the third frontier commission pursuant to Chapter 122., 166., or 184. of the Revised Code, shall be given to the employer.