

SENATE BILL 928

P2

11r2626

By: **Senators Rosapepe and Reilly**

Introduced and read first time: February 24, 2011

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement – Preferences – Blind Industries and Services of Maryland**

3 FOR the purpose of altering a certain preference to allow the preference to apply to
4 the Blind Industries and Services of Maryland when providing certain vending
5 machine supplies and services or subcontracting for the vending machine
6 supplies and services under certain circumstances; defining a certain term; and
7 generally relating to procurement preferences to benefit disadvantaged
8 individuals.

9 BY repealing and reenacting, with amendments,
10 Article – State Finance and Procurement
11 Section 14–103
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2010 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – State Finance and Procurement**

17 14–103.

18 (a) **IN THIS SECTION, “VENDING MACHINE SUPPLIES AND SERVICES”**
19 **INCLUDES:**

20 **(1) THE OPERATION AND MAINTENANCE OF**
21 **CURRENCY–OPERATED VENDING MACHINES THAT DISPENSE PRODUCTS; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THE PROVISION OF FOOD, BEVERAGES, AND OTHER**
2 **MERCHANDISE SOLD AND DISPENSED FROM A CURRENCY-OPERATED VENDING**
3 **MACHINE.**

4 **(B)** The State or a State aided or controlled entity shall buy supplies and
5 services from:

6 (1) Maryland Correctional Enterprises, as provided in Title 3, Subtitle
7 5 of the Correctional Services Article, if State Use Industries provides the supplies or
8 services;

9 (2) Blind Industries and Services of Maryland, if:

10 (i) Blind Industries and Services of Maryland provides the
11 supplies or services **OR, IN THE CASE OF VENDING MACHINE SUPPLIES AND**
12 **SERVICES, BLIND INDUSTRIES AND SERVICES OF MARYLAND EITHER PROVIDES**
13 **THE SUPPLIES OR SERVICES OR SUBCONTRACTS FOR THE SUPPLIES OR**
14 **SERVICES;** and

15 (ii) Maryland Correctional Enterprises does not provide the
16 supplies or services;

17 (3) the Employment Works Program established under § 14-108 of
18 this subtitle, if:

19 (i) a community service provider provides the supplies or
20 services;

21 (ii) **[neither]** Maryland Correctional Enterprises **[nor]** **DOES**
22 **NOT PROVIDE THE SUPPLIES OR SERVICES;**

23 **(III)** Blind Industries and Services of Maryland **[provides]** **DOES**
24 **NOT PROVIDE** the supplies or services **OR, IN THE CASE OF VENDING MACHINE**
25 **SUPPLIES AND SERVICES, BLIND INDUSTRIES AND SERVICES OF MARYLAND**
26 **DOES NOT PROVIDE THE SUPPLIES OR SERVICES OR SUBCONTRACT FOR THE**
27 **SUPPLIES OR SERVICES;** and

28 **[(iii)] (IV)** the State or a State aided or controlled entity is not
29 required by law to buy the supplies or services from any other unit of the State
30 government; or

31 (4) individual with disability owned businesses if:

32 (i) an individual with disability owned business provides the
33 supplies or services;

1 (ii) [neither] Maryland Correctional [Enterprises,]
2 **ENTERPRISES DOES NOT PROVIDE THE SUPPLIES OR SERVICES;**

3 (iii) Blind Industries and Services of [Maryland, nor]
4 **MARYLAND DOES NOT PROVIDE THE SUPPLIES OR SERVICES OR, IN THE CASE**
5 **OF VENDING MACHINE SUPPLIES AND SERVICES, BLIND INDUSTRIES AND**
6 **SERVICES OF MARYLAND DOES NOT PROVIDE THE SUPPLIES OR SERVICES OR**
7 **SUBCONTRACT FOR THE SUPPLIES OR SERVICES;**

8 (iv) a community service provider [provides] **DOES NOT**
9 **PROVIDE** the supplies or services; and

10 [(iii)] (v) the State or a State aided or controlled entity is not
11 required by law to buy the supplies or services from any other unit of the State
12 government.

13 [(b)] (c) The State or a State aided or controlled entity shall give preference
14 to the entities listed under subsection [(a)] (b) of this section in the order that the
15 entities are listed.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2011.