

SENATE BILL 928

P2

11r2626

By: **Senators Rosapepe and Reilly**

Introduced and read first time: February 24, 2011

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 2, 2011

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 28, 2011

CHAPTER _____

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:~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~(1) THE OPERATION AND MAINTENANCE OF~~
 2 ~~CURRENCY OPERATED VENDING MACHINES THAT DISPENSE PRODUCTS; AND~~

3 ~~(2) THE PROVISION OF FOOD, BEVERAGES, AND OTHER~~
 4 ~~MERCHANDISE SOLD AND DISPENSED FROM A CURRENCY OPERATED VENDING~~
 5 ~~MACHINE.~~

6 ~~(B)~~ The State or a State aided or controlled entity shall buy supplies and
 7 services from:

8 (1) Maryland Correctional Enterprises, as provided in Title 3, Subtitle
 9 5 of the Correctional Services Article, if State Use Industries provides the supplies or
 10 services;

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

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

17 (ii) Maryland Correctional Enterprises does not provide the
 18 supplies or services;

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

21 (i) a community service provider provides the supplies or
 22 services;

23 (ii) [neither] Maryland Correctional Enterprises [nor] DOES
 24 NOT PROVIDE THE SUPPLIES OR SERVICES;

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

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

1 (4) individual with disability owned businesses if:

2 (i) an individual with disability owned business provides the
3 supplies or services;

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

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

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

13 (iii) (v) the State or a State aided or controlled entity is not
14 required by law to buy the supplies or services from any other unit of the State
15 government.

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 ~~October~~ June 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.