

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 865  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “of the Relocation of Jobs to a Foreign Country” and substitute “– Location of the Performance of Services”; strike beginning with “requiring” in line 4 down through “period;” in line 11 and substitute “requiring, under certain circumstances, a bidder to disclose certain information regarding whether services required under a procurement contract will be performed outside the United States;”; in line 12, after “right;” insert “defining certain terms; providing for the termination of this Act;”; strike beginning with “the” in line 13 down through “countries” in line 14 and substitute “disclosures regarding the location of the performance of services required under procurement contracts”; and strike beginning with “11-401” in line 17 down through “Country” in line 18 and substitute “12-110”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

“12-110.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “PUBLIC EMPLOYER” MEANS:

(I) A UNIT;

(II) A COUNTY;

(Over)

(III) A MUNICIPALITY;

(IV) A COUNTY BOARD OF EDUCATION; OR

(V) A SPECIAL TAXING DISTRICT.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "SERVICES" HAS THE MEANING STATED IN § 11-101(T) OF THIS ARTICLE.

(II) "SERVICES" INCLUDES:

1. CONSTRUCTION-RELATED SERVICES;

2. ARCHITECTURAL SERVICES;

3. ENGINEERING SERVICES; OR

4. ENERGY PERFORMANCE CONTRACT SERVICES.

(B) THIS SECTION APPLIES TO A PROCUREMENT CONTRACT WITH AN ESTIMATED VALUE OF \$2,000,000 OR MORE.

(C) IN RESPONSE TO A SOLICITATION FOR A PROCUREMENT CONTRACT ISSUED BY A PUBLIC EMPLOYER, A BIDDER SHALL DISCLOSE TO THE PUBLIC EMPLOYER THE FOLLOWING:

(1) WHETHER THE BIDDER OR ANY CONTRACTOR THAT THE BIDDER WILL SUBCONTRACT WITH TO PERFORM THE CONTRACT HAS PLANS, AT

THE TIME THE BID IS SUBMITTED, TO PERFORM ANY SERVICES REQUIRED UNDER THE CONTRACT OUTSIDE THE UNITED STATES; AND

(2) IF SERVICES REQUIRED UNDER THE CONTRACT ARE ANTICIPATED TO BE PERFORMED OUTSIDE THE UNITED STATES:

(I) WHERE THE SERVICES WILL BE PERFORMED; AND

(II) THE REASONS WHY IT IS NECESSARY OR ADVANTAGEOUS TO PERFORM THE SERVICES OUTSIDE THE UNITED STATES.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 16 on page 2 through line 24 on page 3, inclusive.

On page 3, in line 28, after “October 1, 2012.” insert “It shall remain effective for a period of 3 years and, at the end of September 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.