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§1-402.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Nonresident bidder” means a bidder whose principal office is outside the State.
- (3) “Preference” includes:
- (i) a percentage preference;
 - (ii) an employee residency requirement; or
 - (iii) any other provision that favors a resident over a nonresident.
- (4) “Resident bidder” means a bidder whose principal office is in the State.
- (b) When a political subdivision or an instrumentality of government in the State uses competitive bidding to award a procurement contract, the political subdivision or instrumentality may give a preference to the resident bidder who submits the lowest responsive bid of any resident bidder if:
- (1) the resident bidder is a responsible bidder;
 - (2) a responsible nonresident bidder submits the lowest responsive bid of all bidders; and
 - (3) the state in which the nonresident bidder’s principal office is located gives a preference to its residents.
- (c) A preference under this section shall be identical to the preference that the state in which the nonresident bidder’s principal office is located gives to its residents.

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