

HOUSE BILL 1446

P2

(71r2872)

ENROLLED BILL

— *Health and Government Operations/ Education, Health, and Environmental Affairs* —
Introduced by **Delegates Hayes, Angel, Bromwell, Krebs, Morgan, Morhaim, and Platt**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Procurement Preferences – Blind Industries and Services of Maryland –**
3 **Janitorial Products**

4 FOR the purpose of clarifying that the requirement that a State or State aided or controlled
5 entity include in certain maintenance contracts a requirement that a prime
6 contractor procure certain products from the Blind Industries and Services of
7 Maryland under certain circumstances applies to products made ~~or~~ manufactured,
8 remanufactured, or assembled by the Blind Industries and Services of Maryland;
9 providing for a delayed effective date; ~~providing for the application of a certain~~
10 ~~provision of law;~~ and generally relating to procurement preferences related to the
11 Blind Industries and Services of Maryland.

12 BY repealing and reenacting, with amendments,
13 Article – State Finance and Procurement

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.

Italics indicate opposite chamber/conference committee amendments.



1 Section 14–103
2 Annotated Code of Maryland
3 (2015 Replacement Volume and 2016 Supplement)

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

6 **Article – State Finance and Procurement**

7 14–103.

8 (a) A State or State aided or controlled entity shall buy supplies and services
9 from:

10 (1) Maryland Correctional Enterprises, as provided in Title 3, Subtitle 5 of
11 the Correctional Services Article, if Maryland Correctional Enterprises provides the
12 supplies or services;

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

14 (i) Blind Industries and Services of Maryland provides the supplies
15 or services; and

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

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

20 (i) a community service provider or an individual with disability
21 owned business provides the supplies or services;

22 (ii) neither Maryland Correctional Enterprises nor Blind Industries
23 and Services of Maryland provides the supplies or services; and

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

26 (b) A State or State aided or controlled entity shall give preference to the
27 providers listed under subsection (a) of this section in the order that the providers are listed.

28 (c) ~~(1)~~ To the extent practicable, a State or State aided or controlled entity
29 shall include in a maintenance contract that has a component for housekeeping or janitorial
30 services, a requirement that a prime contractor procure janitorial products from Blind
31 Industries and Services of Maryland [when] **IF** the specified products **ARE MADE OR,**

1 MANUFACTURED, REMANUFACTURED, OR ASSEMBLED BY BLIND INDUSTRIES AND
2 SERVICES OF MARYLAND AND are available.

3 ~~(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO ANY~~
4 ~~PRODUCT THAT BLIND INDUSTRIES AND SERVICES OF MARYLAND REPACKAGES~~
5 ~~BUT DOES NOT MAKE OR MANUFACTURE.~~

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 ~~October 1, 2017~~ May 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.