

HOUSE BILL 1446

P2

7lr2872

By: **Delegates Hayes, Angel, Bromwell, Krebs, Morgan, Morhaim, and Platt**
Introduced and read first time: February 10, 2017
Assigned to: Health and Government Operations

A BILL ENTITLED

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 by
8 the Blind Industries and Services of Maryland; providing for the application of a
9 certain provision of law; and generally relating to procurement preferences related
10 to the Blind Industries and Services of Maryland.

11 BY repealing and reenacting, with amendments,
12 Article – State Finance and Procurement
13 Section 14–103
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2016 Supplement)

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

18 **Article – State Finance and Procurement**

19 14–103.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 (i) Blind Industries and Services of Maryland provides the supplies
3 or services; and

4 (ii) Maryland Correctional Enterprises does not provide the supplies
5 or services; or

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

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

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

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

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

16 (c) **(1)** To the extent practicable, a State or State aided or controlled entity
17 shall include in a maintenance contract that has a component for housekeeping or janitorial
18 services, a requirement that a prime contractor procure janitorial products from Blind
19 Industries and Services of Maryland [when] **IF** the specified products **ARE MADE OR**
20 **MANUFACTURED BY BLIND INDUSTRIES AND SERVICES OF MARYLAND AND** are
21 available.

22 **(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO ANY**
23 **PRODUCT THAT BLIND INDUSTRIES AND SERVICES OF MARYLAND REPACKAGES**
24 **BUT DOES NOT MAKE OR MANUFACTURE.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2017.