HOUSE BILL 1573

P1, P2   0lr0139

By: **Chair, Health and Government Operations Committee (By Request – Departmental – Information Technology)**
Introduced and read first time: February 10, 2020
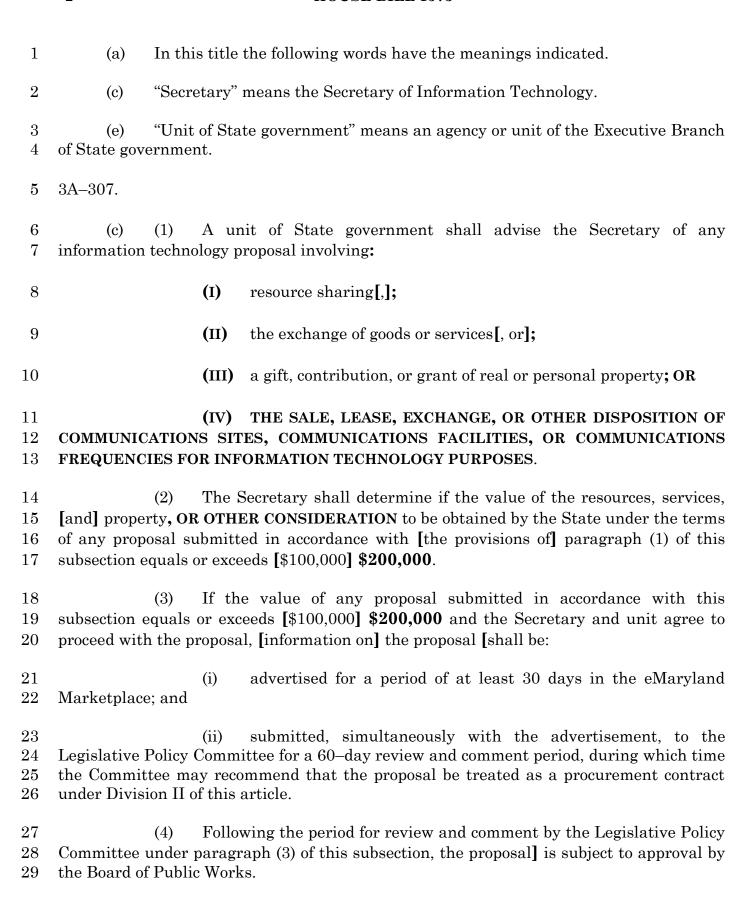Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1   AN ACT concerning

2   **State Government – Information Technology – Review of Projects and Proposals**

3   FOR the purpose of altering the information technology proposals of which a unit of State
4   government is required to advise the Secretary of Information Technology; altering
5   the dollar value threshold of certain information technology proposals that triggers
6   the requirement that the proposal be subject to approval by the Board of Public
7   Works; repealing the requirement that certain information technology proposals be
8   advertised for a certain time period in the eMaryland Marketplace and be submitted
9   to the Legislative Policy Committee for a certain review and comment period; making
10   stylistic and conforming changes; and generally relating to the information
11   technology used by State government.

12   BY repealing and reenacting, without amendments,
13   Article – State Finance and Procurement
14   Section 3A–101(a), (c), and (e)
15   Annotated Code of Maryland
16   (2015 Replacement Volume and 2019 Supplement)

17   BY repealing and reenacting, with amendments,
18   Article – State Finance and Procurement
19   Section 3A–307(c)
20   Annotated Code of Maryland
21   (2015 Replacement Volume and 2019 Supplement)

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

24   **Article – State Finance and Procurement**

25   3A–101.

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
        [Brackets] indicate matter deleted from existing law.

1   (a)   In this title the following words have the meanings indicated.

2   (c)   "Secretary" means the Secretary of Information Technology.

3   (e)   "Unit of State government" means an agency or unit of the Executive Branch
4   of State government.

5   3A–307.

6   (c)   (1)   A unit of State government shall advise the Secretary of any
7   information technology proposal involving**:**

8   **(I)**   resource sharing**[,];**

9   **(II)**   the exchange of goods or services**[, or];**

10   **(III)**   a gift, contribution, or grant of real or personal property**; OR**

11   **(IV)   THE SALE, LEASE, EXCHANGE, OR OTHER DISPOSITION OF**
12   **COMMUNICATIONS SITES, COMMUNICATIONS FACILITIES, OR COMMUNICATIONS**
13   **FREQUENCIES FOR INFORMATION TECHNOLOGY PURPOSES**.

14   (2)   The Secretary shall determine if the value of the resources, services,
15   **[and]** property**, OR OTHER CONSIDERATION** to be obtained by the State under the terms
16   of any proposal submitted in accordance with **[the provisions of]** paragraph (1) of this
17   subsection equals or exceeds **[**$100,000**]** **$200,000**.

18   (3)   If the value of any proposal submitted in accordance with this
19   subsection equals or exceeds **[**$100,000**]** **$200,000** and the Secretary and unit agree to
20   proceed with the proposal, **[**information on**]** the proposal **[**shall be:

21   (i)   advertised for a period of at least 30 days in the eMaryland
22   Marketplace; and

23   (ii)   submitted, simultaneously with the advertisement, to the
24   Legislative Policy Committee for a 60–day review and comment period, during which time
25   the Committee may recommend that the proposal be treated as a procurement contract
26   under Division II of this article.

27   (4)   Following the period for review and comment by the Legislative Policy
28   Committee under paragraph (3) of this subsection, the proposal**]** is subject to approval by
29   the Board of Public Works.

30   **[**(5)**] (4)**   This subsection may not be construed as authorizing an

1   exception from the requirements of Division II of this article for any contract that otherwise
2   would be subject to the State procurement process.

3   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4   October 1, 2020.