
By: **Washington County Delegation**

Introduced and read first time: February 13, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County - Sale and Purchase of Real Estate**

3 FOR the purpose of providing an exception for the County Commissioners of
4 Washington County with respect to a certain requirement for advertising for
5 bids for contracts for the sale or purchase of real estate.

6 BY repealing and reenacting, with amendments,
7 The Public Local Laws of Washington County
8 Section 1-106
9 Article 22 - Public Local Laws of Maryland
10 (1991 Edition and December 1997 Supplement, as amended)

11 BY repealing and reenacting, without amendments,
12 The Public Local Laws of Washington County
13 Section 1-301
14 Article 22 - Public Local Laws of Maryland
15 (1991 Edition and December 1997 Supplement, as amended)

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

18 **Article 22 - Washington County**

19 1-106.

20 (a) [The] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE
21 County Commissioners or any employee of the county may not enter into any contract
22 of sale or purchase or any contract for any county work, project, or other expenditure
23 to which the county is a party where the amount involved in the contract exceeds
24 \$25,000 without advertising for bids at least 1 week before the bid by publication in at
25 least one newspaper that is published in the county or through electronic media.

26 (b) (1) A contract of sale shall be awarded to the highest responsible bidder.

1 (2) A contract of purchase or other expenditure shall be awarded to the
2 lowest responsible bidder.

3 (3) If a bidder has not paid all taxes owed to the county or a municipal
4 corporation in the county, the County Commissioners may reject the bidder's bid.

5 (4) Notwithstanding the provisions of this subsection, the County
6 Commissioners may reject any bid.

7 (c) (1) Any contract entered into in violation of the provisions of this section
8 is void.

9 (2) The provisions of this section do not apply to:

10 (i) Any contract or other transaction involving the deposit of
11 county funds in any authorized State or federal banking institution;

12 (ii) Necessary repairs made in case of emergency;

13 (iii) The purchase of tangible personal property at a public auction;
14 or

15 (iv) Any contract for which the County Commissioners approve sole
16 source procurement under § 1-106.2 of this subtitle.

17 (D) SUBJECT TO § 1-301 OF THIS TITLE, THE COUNTY COMMISSIONERS MAY
18 ENTER INTO A CONTRACT OF SALE OR PURCHASE OF REAL ESTATE WITHOUT
19 ADVERTISING FOR BIDS.

20 1-301.

21 (1) The County Commissioners may lease, sell, at either public or private
22 sale, and convey or otherwise dispose of and convey any interest in real estate held by
23 the County Commissioners and no longer needed for public use. The intent to sell,
24 dispose of, or convey, except in the case of a conveyance made between the county and
25 any federal, state or local government, shall be advertised in a newspaper of general
26 distribution in the county, once a week for 3 successive weeks. The intent to lease real
27 property shall be advertised at least once in a newspaper of general distribution in
28 the county.

29 (2) The County Commissioners may buy at public or private sale or
30 accept without consideration any real estate which in their judgment is useful to
31 Washington County. However, funds may not be expended from the general fund of
32 the county for the acquisition of real property under this section unless a public
33 hearing has been held on the matter and the proceeds from sales of all existing school
34 facilities, school lands, and other properties presently used for school facilities and
35 titled in the name of the county and/or branch, department or derivative of the county
36 are paid into the "Special School Fund" for school construction and repairs created by
37 the Washington County School Bond Act of 1963.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1998.