

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE
Revised

Senate Bill 541 (Senator McCabe)
Economic and Environmental Affairs

State Government - Procurement - Conflict of Interests

This bill provides that each invitation for bids or request for proposals for a contract that will involve the selection of a consultant who is to assist a unit of State government in the formation, award, or execution of a contract must require the bidder or offerer to provide an affidavit disclosing any actual or potential conflict of interest of which the bidder or offerer knows or can be reasonably expected to know. The bill requires the Board of Public Works to adopt regulations concerning the disclosure and evaluation of conflicts of interest under the bill. The bill also prohibits a person that employs an individual who assists an executive unit in drafting specifications, invitations for bids, or requests for proposals from submitting a bid or proposal for that procurement or assisting another person in submitting a bid or proposal.

Fiscal Summary

State Effect: The bill's requirements could be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Current Law: An individual who assists an executive unit in drafting specifications, an invitation for bids, or a request for proposals is prohibited from submitting a bid or proposal for that procurement or assisting another person in submitting a bid or proposal. No provision of law requires a bidder or offerer for a State contract to disclose actual or potential

conflicts of interest.

Small Business Effect: Small business consultants could experience significant compliance costs, depending on the nature and extent of their clients.

Additional Information

Prior Introductions: None.

Cross File: HB 702 (Delegate McIntosh, *et al.*) - Commerce and Government Matters.

Information Source(s): State Ethics Commission, Department of Budget and Management, Department of Health and Mental Hygiene, Department of Public Safety and Correctional Services (Division of Correction), Maryland Department of Transportation (State Highway Administration), University System of Maryland, Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2000
ncs/jr Revised - Senate Third Reader - March 21, 2000

Analysis by: Ryan Wilson

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510