

SENATE BILL 70

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P2

2001 Regular Session
1lr0111

(PRE-FILED)

By: **Chairman, Economic and Environmental Affairs Committee**
(Departmental - General Services)

Requested: October 26, 2000

Introduced and read first time: January 10, 2001

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Procurement - Electronic Transactions**

3 FOR the purpose of authorizing primary procurement units of State government to
4 conduct certain procurement transactions by electronic means; providing that
5 bidding on a contract solicited by electronic means constitutes consent to
6 conduct certain transactions by electronic means; authorizing the charge of
7 reasonable fees for certain electronic transactions; and generally relating to
8 electronic transactions in procurement contracts.

9 BY adding to

10 Article - State Finance and Procurement

11 Section 13-226

12 Annotated Code of Maryland

13 (1995 Replacement Volume and 2000 Supplement)

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

16 **Article - State Finance and Procurement**

17 13-226.

18 (A) UNLESS OTHERWISE PROHIBITED BY LAW, A PRIMARY PROCUREMENT
19 UNIT MAY CONDUCT ALL OR ANY PART OF A PROCUREMENT TRANSACTION,
20 INCLUDING SOLICITATION, BIDDING, AWARD, EXECUTION, OR ADMINISTRATION OF A
21 CONTRACT, BY ELECTRONIC MEANS AS PROVIDED IN TITLE 21 OF THE COMMERCIAL
22 LAW ARTICLE.

23 (B) BIDDING ON A PROCUREMENT CONTRACT BY ELECTRONIC MEANS SHALL
24 CONSTITUTE CONSENT BY THE BIDDER TO CONDUCT BY ELECTRONIC MEANS ALL
25 ELEMENTS OF THE PROCUREMENT TRANSACTION WHICH THE UNIT AGREES TO
26 CONDUCT BY ELECTRONIC MEANS.

1 (C) (1) A UNIT UTILIZING ELECTRONIC MEANS TO CONDUCT ELEMENTS OF
2 A PROCUREMENT TRANSACTION OR A PRIVATE CONTRACTOR FURNISHING TO THE
3 STATE ELECTRONIC MEANS FOR CONDUCTING ELEMENTS OF A PROCUREMENT
4 TRANSACTION MAY CHARGE A REASONABLE FEE TO THE BIDDER FOR THE USE OF
5 THE ELECTRONIC MEANS.

6 (2) NO FEE MAY BE CHARGED UNDER THIS SUBSECTION UNLESS
7 APPROVED BY THE BOARD OF PUBLIC WORKS.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 June 1, 2001.