
By: **Senators Garagiola and Astle**

Introduced and read first time: February 24, 2006

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement - Small Business Reserve Program - Disabled Veteran-Owned**
3 **Small Businesses**

4 FOR the purpose of establishing a percentage price preference for small businesses
5 that are a certain percentage owned and controlled by one or more disabled
6 veterans; providing that a certain percentage price preference may not be used
7 in conjunction with certain other percentage price preferences; altering the
8 termination date of the Small Business Reserve Program; defining certain
9 terms; providing for the termination of certain provisions of this Act; and
10 generally relating to the Small Business Reserve Program.

11 BY adding to

12 Article - State Finance and Procurement

13 Section 14-502.1

14 Annotated Code of Maryland

15 (2006 Replacement Volume)

16 BY repealing and reenacting, with amendments,

17 Chapter 75 of the Acts of the General Assembly of 2004

18 Section 2

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - State Finance and Procurement**

22 14-502.1.

23 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

25 (2) "DISABLED VETERAN" MEANS AN INDIVIDUAL WHO HAS SERVED IN
26 ONE OR MORE OF THE UNITED STATES UNIFORMED SERVICES AND HAS BEEN
27 CERTIFIED EITHER BY THE SERVICE OR THE U.S. DEPARTMENT OF VETERANS

1 AFFAIRS AS HAVING A SERVICE-CONNECTED DISABILITY REGARDLESS OF THE
2 DISABILITY RATING AND WHO IS DOMICILED IN THE STATE.

3 (3) "DISABLED VETERAN-OWNED SMALL BUSINESS" MEANS A SMALL
4 BUSINESS THAT IS AT LEAST 51% OWNED AND CONTROLLED BY ONE OR MORE
5 INDIVIDUALS WHO ARE DISABLED VETERANS.

6 (4) "PERCENTAGE PRICE PREFERENCE" MEANS THE PERCENT BY WHICH
7 A RESPONSIVE BID FROM A RESPONSIBLE BIDDER THAT IS A DISABLED
8 VETERAN-OWNED SMALL BUSINESS MAY EXCEED THE LOWEST BID FROM A
9 RESPONSIBLE BIDDER THAT IS NOT A DISABLED VETERAN-OWNED SMALL
10 BUSINESS.

11 (B) EACH DESIGNATED PROCUREMENT UNIT SHALL ESTABLISH A PRICE
12 PREFERENCE OF 10% FOR THE PROCUREMENT OF GOODS, SUPPLIES, MAINTENANCE,
13 CONSTRUCTION, CONSTRUCTION-RELATED SERVICES, ARCHITECTURAL SERVICES,
14 AND ENGINEERING SERVICES DESIGNATED FOR THE SMALL BUSINESS RESERVE
15 UNDER THIS SUBTITLE FROM A DISABLED VETERAN-OWNED SMALL BUSINESS.

16 (C) A PERCENTAGE PRICE PREFERENCE UNDER THIS SECTION MAY NOT BE
17 USED IN CONJUNCTION WITH ANY OTHER PERCENTAGE PRICE PREFERENCE
18 ESTABLISHED UNDER THIS TITLE.

19 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
20 read as follows:

21

Chapter 75 of the Acts of 2004

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
23 effect October 1, 2004. It shall remain effective for a period of [3] 7 years and, at the
24 end of September 30, [2007] 2011, with no further action required by the General
25 Assembly, this Act, and any regulations adopted under the provisions of this Act, shall
26 be abrogated and of no further force and effect.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2006. Section 1 of this Act shall remain effective for a period of 5 years and,
29 at the end of September 30, 2011, with no further action required by the General
30 Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.