

CHAPTER 354

(Senate Bill 764)

AN ACT concerning

Higher Education – St. Mary’s College of Maryland – Procurement Authority

FOR the purpose of clarifying that St. Mary’s College of Maryland is exempt from certain provisions of State procurement law; clarifying that certain procurement policies and procedures of the College are subject to review and approval by the Board of Public Works and the Administrative, Executive, and Legislative Review Committee of the General Assembly; clarifying that certain procurement policies and procedures of the College shall promote certain purposes; and generally relating to the procurement authority of St. Mary’s College of Maryland.

BY repealing and reenacting, without amendments,

Article – Education
Section 12–112(a) and 14–109(b)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education
Section 14–405(f)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 11–203(e)(1), (2), and (3)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Article – Education

12–112.

(a) (1) Except as provided in § 11-203(e) of the State Finance and Procurement Article, the University is exempt from Division II of the State Finance and Procurement Article.

(2) (i) Subject to review and approval by the Board of Public Works and the Administrative, Executive, and Legislative Review Committee of the General Assembly, the Board of Regents shall develop policies and procedures governing procurements by the University.

(ii) The policies and procedures developed under subparagraph (i) of this paragraph shall promote the purposes of the State procurement law as set forth in § 11-201 of the State Finance and Procurement Article.

14-109.

(b) (1) Except as provided in § 11-203(e) of the State Finance and Procurement Article, the University is exempt from Division II of the State Finance and Procurement Article.

(2) (i) Subject to review and approval by the Board of Public Works and the Administrative, Executive, and Legislative Review Committee of the General Assembly, the Board of Regents shall develop policies and procedures governing procurements by the University.

(ii) The policies and procedures developed under subparagraph (i) of this paragraph shall promote the purposes of the State procurement law as set forth in § 11-201 of the State Finance and Procurement Article.

14-405.

(f) (1) EXCEPT AS PROVIDED IN § 11-203(E) OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE COLLEGE IS EXEMPT FROM DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

[(1)] (2) (I) Subject to review **AND APPROVAL** by the [Legislative Policy Committee] **BOARD OF PUBLIC WORKS AND THE ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW COMMITTEE** of the General Assembly, the Board of Trustees shall [establish procurement standards and procedures for the College] **DEVELOP POLICIES AND PROCEDURES GOVERNING PROCUREMENTS BY THE COLLEGE.**

(II) THE POLICIES AND PROCEDURES DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL PROMOTE THE PURPOSES OF THE STATE PROCUREMENT LAW AS SET FORTH IN § 11-201 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

[(2) The Board shall notify the Legislative Policy Committee of any subsequent substantive changes to the standards and procedures established under this subsection.]

Article – State Finance and Procurement

11-203.

(e) (1) In this subsection, “University” means the University System of Maryland, Morgan State University, or St. Mary’s College of Maryland.

(2) Except as otherwise provided in this subsection, this Division II does not apply to the University System of Maryland, Morgan State University, or St. Mary’s College of Maryland.

(3) (i) A procurement by a University shall comply with the policies and procedures developed by the University and approved by the Board of Public Works and the Administrative, Executive, and Legislative Review Committee of the General Assembly in accordance with § 12-112 of the Education Article for the University System of Maryland, § 14-109 of the Education Article for Morgan State University, or § 14-405(f) of the Education Article for St. Mary’s College of Maryland.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2007.

Approved by the Governor, May 8, 2007.