

HOUSE BILL 865

P2

8lr1936

By: **Delegates Morhaim, Bromwell, Miller, and Weldon**

Introduced and read first time: February 6, 2008

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Government Efficiency and Streamlining Operations**

3 FOR the purpose of requiring certain persons to use eMaryland Marketplace to
4 advertise for a certain procurement and to publish notice of an award of a
5 certain contract; defining certain terms; providing for the construction of this
6 Act; and generally relating to the use of eMaryland Marketplace.

7 BY adding to

8 Article – State Finance and Procurement

9 Section 17–501 and 17–502 to be under the new subtitle “Subtitle 5. eMaryland
10 Marketplace – Use by Certain Persons”

11 Annotated Code of Maryland

12 (2006 Replacement Volume and 2007 Supplement)

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

15 **Article – State Finance and Procurement**

16 **SUBTITLE 5. eMARYLAND MARKETPLACE – USE BY CERTAIN PERSONS.**

17 **17–501.**

18 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
19 INDICATED.

20 (B) “eMARYLAND MARKETPLACE” HAS THE MEANING STATED IN §
21 13–101 OF THIS ARTICLE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) “PROCUREMENT” MEANS PROCUREMENT BY COMPETITIVE SEALED**
2 **BIDDING, COMPETITIVE SEALED PROPOSALS, OR NONCOMPETITIVE**
3 **NEGOTIATION.**

4 **17-502.**

5 **(A) IN ADDITION TO ANY OTHER PROVISION OF LAW, THE FOLLOWING**
6 **PERSONS SHALL USE EMARYLAND MARKETPLACE TO PUBLISH NOTICE OF A**
7 **PROCUREMENT OR PUBLISH A NOTICE OF AWARD OF A PROCUREMENT THAT IS**
8 **AT THE SAME AMOUNT OR EXCEEDS THE AMOUNT REQUIRED BY THE BOARD**
9 **FOR A STATE CONTRACT TO BE PUBLISHED IN EMARYLAND MARKETPLACE:**

10 **(1) A UNIT OF STATE GOVERNMENT;**

11 **(2) A COUNTY;**

12 **(3) A MUNICIPALITY;**

13 **(4) A BICOUNTY OR MULTICOUNTY GOVERNMENTAL AGENCY;**

14 **(5) A SPECIAL TAX DISTRICT, SANITARY DISTRICT, DRAINAGE**
15 **DISTRICT, SOIL CONSERVATION DISTRICT, AND WATER SUPPLY DISTRICT;**

16 **(6) A PUBLIC INSTITUTION OF HIGHER EDUCATION;**

17 **(7) A PUBLIC SCHOOL; AND**

18 **(8) AN ENTITY EXEMPT FROM THE PROVISIONS OF THIS DIVISION**
19 **II IN ACCORDANCE WITH § 11-203 OF THIS ARTICLE.**

20 **(B) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT A PERSON**
21 **LISTED IN SUBSECTION (A) OF THIS SECTION FROM PUBLISHING NOTICE OF A**
22 **PROCUREMENT OR PUBLISHING A NOTICE OF AWARD IN ACCORDANCE WITH**
23 **ANY OTHER LAW OR POLICY.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 June 1, 2008.