

SENATE BILL 551

P2

2lr2223
CF HB 425

By: **Senators Montgomery and King**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement – Required Disclosure – Conflict Minerals Originated in the**
3 **Democratic Republic of the Congo**

4 FOR the purpose of prohibiting a unit of State government from procuring supplies or
5 services from persons that fail to disclose in a certain manner as required by
6 federal law certain information relating to conflict minerals that originated in
7 the Democratic Republic of the Congo or its neighboring countries; requiring a
8 unit of State government to provide notice of the prohibition in any solicitation
9 for supplies or services; defining certain terms; and generally relating to
10 required disclosure of information related to conflict minerals originated in the
11 Democratic Republic of the Congo or its neighboring countries.

12 BY adding to

13 Article – State Finance and Procurement

14 Section 14–413

15 Annotated Code of Maryland

16 (2009 Replacement Volume and 2011 Supplement)

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

19 **Article – State Finance and Procurement**

20 **14–413.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
22 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) (I) “CONFLICT MINERAL” MEANS A MINERAL OR MINERAL**
2 **DERIVATIVE DETERMINED UNDER FEDERAL LAW TO BE FINANCING HUMAN**
3 **CONFLICT.**

4 **(II) “CONFLICT MINERAL” INCLUDES**
5 **COLUMBITE–TANTALITE (COLTAN), CASSITERITE, GOLD, WOLFRAMRITE, OR**
6 **DERIVATIVES OF THESE MINERALS.**

7 **(3) “NONCOMPLIANT PERSON” MEANS A PERSON:**

8 **(I) THAT IS REQUIRED TO DISCLOSE UNDER FEDERAL LAW**
9 **INFORMATION RELATING TO CONFLICT MINERALS THAT ORIGINATED IN THE**
10 **DEMOCRATIC REPUBLIC OF THE CONGO OR ITS NEIGHBORING COUNTRIES;**
11 **AND**

12 **(II) FOR WHICH THE DISCLOSURE IS NOT FILED, IS**
13 **CONSIDERED UNDER FEDERAL LAW TO BE AN UNRELIABLE DETERMINATION, OR**
14 **CONTAINS FALSE INFORMATION.**

15 **(B) A UNIT MAY NOT KNOWINGLY PROCURE SUPPLIES OR SERVICES**
16 **FROM A NONCOMPLIANT PERSON.**

17 **(C) IN ANY SOLICITATION FOR SUPPLIES OR SERVICES, A UNIT SHALL**
18 **PROVIDE NOTICE OF THE REQUIREMENTS OF THIS SECTION.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2012.