

Chapter 258

(House Bill 425)

AN ACT concerning

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

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

BY adding to

Article – State Finance and Procurement

Section 14–413

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

Article – State Finance and Procurement

14–413.

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

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

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

(3) “NONCOMPLIANT PERSON” MEANS A PERSON:

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

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

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

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

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

Approved by the Governor, May 2, 2012.