

# HOUSE BILL 632

P2

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CF SB 484

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By: **Delegates Pena–Melnyk, Bromwell, Costa, Cullison, Donoghue, Hubbard, Murphy, Nathan–Pulliam, Oaks, Proctor, Ready, Reznik, Tarrant, V. Turner, and Waldstreicher**

Introduced and read first time: January 30, 2014

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Procurement – Maryland Funding Accountability and Transparency Act –**  
3 **Revisions**

4 FOR the purpose of altering the information regarding State payments that a certain  
5 searchable Web site is required to contain; requiring the searchable Web site to  
6 allow a user to compare data for multiple fiscal years and access certain  
7 information regarding certain contracts; and generally relating to the Maryland  
8 Funding Accountability and Transparency Act.

9 BY repealing and reenacting, with amendments,  
10 Article – State Finance and Procurement  
11 Section 3A–313  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume and 2013 Supplement)

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

16 **Article – State Finance and Procurement**

17 3A–313.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) (i) “Payee” means any party who receives from the State an  
20 aggregate payment of \$25,000 in a fiscal year.

21 (ii) “Payee” does not include:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1. a State employee with respect to the employee's  
2 compensation; or

3 2. a State retiree with respect to the retiree's retirement  
4 allowance.

5 (3) "Searchable website" means a website created in accordance with  
6 this section that displays and searches State payment data.

7 (b) On or before January 1, 2009, the Department shall develop and operate  
8 a single searchable website, accessible to the public at no cost through the Internet.

9 (c) The searchable website shall contain State payment data, including:

10 (1) the name of a payee receiving a payment;

11 **(2) IF APPLICABLE, THE NAME OF THE OWNER OF A PAYEE**  
12 **RECEIVING A PAYMENT;**

13 ~~[(2)]~~ **(3)** the location of a payee by postal zip code;

14 ~~[(3)]~~ **(4)** the amount of a payment; ~~[and]~~

15 ~~[(4)]~~ **(5)** the name of an agency making a payment;

16 **(6) THE BUDGET PROGRAM CODE FOR THE PROGRAM UNDER**  
17 **WHICH A PAYMENT WAS MADE;**

18 **(7) THE METHOD OF PROCUREMENT THAT WAS USED FOR THE**  
19 **CONTRACT UNDER WHICH THE PAYMENT WAS MADE;**

20 **(8) BEGINNING JANUARY 1, 2015, THE TOTAL AMOUNT OF**  
21 **PAYMENTS MADE BY THE STATE; AND**

22 **(9) BEGINNING JANUARY 1, 2015, THE TOTAL AMOUNT OF**  
23 **PAYMENTS MADE BY EACH AGENCY OF THE STATE.**

24 (d) The searchable website shall allow the user to:

25 (1) search data for fiscal year 2008 and each year thereafter; ~~[and]~~

26 **(2) COMPARE DATA FOR MULTIPLE FISCAL YEARS;**

27 ~~[(2)]~~ **(3)** search by the following data fields:

- 1 (i) a payee receiving a payment;
- 2 (ii) an agency making a payment; and
- 3 (iii) the zip code of a payee receiving a payment; AND

4 **(4) ACCESS THE FOLLOWING INFORMATION REGARDING EACH**  
5 **CONTRACT UNDER WHICH PAYMENTS WERE MADE:**

6 **(I) THE START DATE AND EXPIRATION DATE OF THE**  
7 **CONTRACT, INCLUDING ANY MODIFICATIONS OR EXTENSIONS;**

8 **(II) THE NUMBER AND CLASSIFICATION OF FULL-TIME**  
9 **EMPLOYEES WHO WERE EMPLOYED BY THE PAYEE UNDER THE CONTRACT;**

10 **(III) THE AVERAGE COMPENSATION OF THE EMPLOYEES IN**  
11 **EACH CLASSIFICATION INCLUDED UNDER ITEM (II) OF THIS ITEM; AND**

12 **(IV) ANY AUDIT REPORTS RELATED TO THE CONTRACT.**

13 (e) State agencies shall provide appropriate assistance to the Secretary to  
14 ensure the existence and ongoing operation of the single website.

15 (f) This section may not be construed to require the disclosure of information  
16 that is confidential under State or federal law.

17 (g) This section shall be known and may be cited as the “Maryland Funding  
18 Accountability and Transparency Act of 2008”.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2014.