

SENATE BILL 1093

P2

4lr3363

By: **Senator Conway**

Introduced and read first time: March 3, 2014

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Finance and Procurement – Legal Services Delivery Organization to**
3 **Provide State–Mandated Legal Services**

4 FOR the purpose of requiring the procurement officer in certain executive
5 departments of State government to procure legal services relating to certain
6 individuals for certain purposes from a certain legal services delivery
7 organization; providing for the application of this Act; defining certain terms;
8 and generally relating to the procurement of certain legal services from a
9 certain legal services organization by certain executive departments of State
10 government.

11 BY adding to
12 Article – State Finance and Procurement
13 Section 13–112
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2013 Supplement)

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

18 **Article – State Finance and Procurement**
19 **13–112.**

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

22 (2) “DEPARTMENT” INCLUDES:

23 (I) THE DEPARTMENT OF HUMAN RESOURCES;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;**
2 **AND**

3 **(III) THE DEPARTMENT OF AGING.**

4 **(3) “LEGAL SERVICES DELIVERY ORGANIZATION” MEANS A**
5 **NONPROFIT ORGANIZATION THAT:**

6 **(I) PROVIDES LEGAL SERVICES;**

7 **(II) IS BASED IN THIS STATE; AND**

8 **(III) HAS AN OFFICE, A PHYSICAL PRESENCE, OR A**
9 **DEMONSTRATED CAPACITY TO OPERATE IN EACH COUNTY IN THE STATE TO**
10 **REPRESENT AND PROVIDE LEGAL SERVICES TO CHILDREN AND INDIGENT**
11 **ADULTS.**

12 **(B) THIS SECTION APPLIES TO THE PROCUREMENT OF LEGAL SERVICES**
13 **FROM A LEGAL SERVICES DELIVERY ORGANIZATION BY A DEPARTMENT FOR:**

14 **(1) CHILD ADOPTIONS OR GUARDIANSHIPS UNDER § 5-323 OF**
15 **THE FAMILY LAW ARTICLE;**

16 **(2) PROCEEDINGS INVOLVING CHILDREN UNDER § 3-813 OF THE**
17 **COURTS ARTICLE;**

18 **(3) ADULT GUARDIANSHIPS OR PROTECTIVE SERVICES**
19 **PROCEEDINGS UNDER §§ 13-705 AND 13-709 OF THE ESTATES AND TRUSTS**
20 **ARTICLE;**

21 **(4) ADULT GUARDIANSHIP REVIEW HEARINGS UNDER § 14-404 OF**
22 **THE FAMILY LAW ARTICLE IN WHICH THE DEPARTMENT OF AGING IS**
23 **INVOLVED; OR**

24 **(5) CASES REQUIRING LEGAL SERVICES PROVIDED FOR A CHILD**
25 **OR VULNERABLE ADULT IN WHICH THE DEPARTMENT OF HEALTH AND MENTAL**
26 **HYGIENE IS INVOLVED.**

27 **(C) A PROCUREMENT OFFICER FOR A DEPARTMENT SHALL PROCURE**
28 **LEGAL SERVICES FROM A LEGAL SERVICES DELIVERY ORGANIZATION TO**
29 **PROVIDE THE SERVICES DESCRIBED UNDER SUBSECTION (B) OF THIS SECTION.**

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