

HOUSE BILL 1537

P2

6lr3586

By: ~~Delegate Hixson~~ Delegates Hixson, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

Introduced and read first time: February 19, 2016

Assigned to: Rules and Executive Nominations

Re-referred to: Health and Government Operations, March 24, 2016

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2016

CHAPTER _____

1 AN ACT concerning

2 **Procurement – Priority of Purchasing Preferences – Individual With Disability**
3 **Owned Business**

4 FOR the purpose of altering the purchasing preference priority required to be given to
5 individual with disability owned businesses by State and State aided or controlled
6 entities when buying supplies and services; and generally relating to the priority of
7 purchasing preferences in State procurement law.

8 BY repealing and reenacting, with amendments,
9 Article – State Finance and Procurement
10 Section 14–103
11 Annotated Code of Maryland
12 (2015 Replacement Volume)

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

15 **Article – State Finance and Procurement**

16 14–103.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) A State or State aided or controlled entity shall buy supplies and services
2 from:

3 (1) Maryland Correctional Enterprises, as provided in Title 3, Subtitle 5 of
4 the Correctional Services Article, if State Use Industries provides the supplies or services;

5 (2) Blind Industries and Services of Maryland, if:

6 (i) Blind Industries and Services of Maryland provides the supplies
7 or services; and

8 (ii) Maryland Correctional Enterprises does not provide the supplies
9 or services; **OR**

10 (3) the Employment Works Program established under § 14–108 of this
11 subtitle, if:

12 (i) a community service provider **OR AN INDIVIDUAL WITH**
13 **DISABILITY OWNED BUSINESS** provides the supplies or services;

14 (ii) neither Maryland Correctional Enterprises nor Blind Industries
15 and Services of Maryland provides the supplies or services; and

16 (iii) the State or a State aided or controlled entity is not required by
17 law to buy the supplies or services from any other unit of the State government[; or

18 (4) individual with disability owned businesses if:

19 (i) an individual with disability owned business provides the
20 supplies or services;

21 (ii) neither Maryland Correctional Enterprises, Blind Industries and
22 Services of Maryland, nor a community service provider provides the supplies or services;
23 and

24 (iii) a State or State aided or controlled entity is not required by law
25 to buy the supplies or services from any other unit of the State government].

26 (b) A State or State aided or controlled entity shall give preference to the
27 providers listed under subsection (a) of this section in the order that the providers are listed.

28 (c) To the extent practicable, a State or State aided or controlled entity shall
29 include in a maintenance contract that has a component for housekeeping or janitorial
30 services, a requirement that a prime contractor procure janitorial products from Blind
31 Industries and Services of Maryland when the specified products are available.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.