

Chapter 313

(House Bill 1537)

AN ACT concerning

Procurement – Priority of Purchasing Preferences – Individual With Disability Owned Business

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

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

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

Article – State Finance and Procurement

14–103.

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

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

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

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

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

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

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

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

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

(4) individual with disability owned businesses if:

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

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

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

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

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

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

Approved by the Governor, April 26, 2016.