

# SENATE BILL 1196

C8

EMERGENCY BILL

7lr3803

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By: **Senator Middleton**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 17, 2017

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Tri-County Council for Southern Maryland – Financing Purchase or Lease of**  
3 **Property – Exemption From Procurement Law**

4 FOR the purpose of exempting from the State procurement law the purchase or lease of  
5 property for a certain purpose by certain persons if the Tri-County Council for  
6 Southern Maryland makes a certain determination; providing that existing  
7 obligations or contract rights may not be impaired by this Act; making this Act an  
8 emergency measure; and generally relating to an exemption from the State  
9 procurement law for the purchase or lease of property by certain persons under a  
10 certain determination made by the Tri-County Council for Southern Maryland.

11 BY repealing and reenacting, without amendments,  
12 Article – Economic Development  
13 Section 13-601(a) and (c)  
14 Annotated Code of Maryland  
15 (2008 Volume and 2016 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Economic Development  
18 Section 13-612.1  
19 Annotated Code of Maryland  
20 (2008 Volume and 2016 Supplement)

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

### Article – Economic Development

24 13-601.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 (c) “Council” means the Tri-County Council for Southern Maryland.

3 13-612.1.

4 (a) Subject to subsections (b) and (c) of this section, in order to accomplish the  
5 purposes of this subtitle, the Council may use any money available to it to finance the  
6 purchase or lease of property only by:

7 (1) one or more of the following Southern Maryland counties:

8 (i) Anne Arundel County;

9 (ii) Calvert County;

10 (iii) Charles County;

11 (iv) Prince George’s County; and

12 (v) St. Mary’s County;

13 (2) the Maryland Food Center Authority; or

14 (3) another entity, as determined by the Council, that is authorized to  
15 finance or purchase property.

16 (b) If the Council determines that money should be used to finance the purchase  
17 or lease of property under subsection (a) of this section, the Council[, in accordance with  
18 State procurement law,] shall:

19 (1) prepare and issue a request for proposals;

20 (2) evaluate responses to the request; and

21 (3) select an entity to purchase or lease property.

22 (c) (1) Except as provided in paragraph (2) of this subsection, the Council may  
23 not own or lease property.

24 (2) The Council may lease office space for its own use.

25 **(D) NOTWITHSTANDING ANY OTHER LAW, STATE PROCUREMENT LAW DOES**  
26 **NOT APPLY TO THE PURCHASE OR LEASE OF PROPERTY UNDER SUBSECTION (B) OF**  
27 **THIS SECTION.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing obligation  
2 or contract right may not be impaired in any way by this Act.

3           SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency  
4 measure, is necessary for the immediate preservation of the public health or safety, has  
5 been passed by a yea and nay vote supported by three-fifths of all the members elected to  
6 each of the two Houses of the General Assembly, and shall take effect from the date it is  
7 enacted.