

SENATE BILL 1196

C8

EMERGENCY BILL

7lr3803

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

Re-referred to: Education, Health, and Environmental Affairs, March 21, 2017

Committee Report: Favorable

Senate action: Adopted

Read second time: March 28, 2017

CHAPTER _____

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)

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

3 **Article – Economic Development**

4 13–601.

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

6 (c) “Council” means the Tri–County Council for Southern Maryland.

7 13–612.1.

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

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

12 (i) Anne Arundel County;

13 (ii) Calvert County;

14 (iii) Charles County;

15 (iv) Prince George’s County; and

16 (v) St. Mary’s County;

17 (2) the Maryland Food Center Authority; or

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

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

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

24 (2) evaluate responses to the request; and

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

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.