

HOUSE BILL 521

P2

9lr1940
CF 9lr2575

By: **Delegates Queen, Kaiser, Kelly, R. Lewis, Lierman, Lopez, Moon, Mosby, and Smith**

Introduced and read first time: February 4, 2019

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement Preferences – Maryland Child Care Act**

3 FOR the purpose of requiring a unit of State government, when awarding contracts above
4 a certain amount, to give a preference to bidders or offerors that have certain on-site
5 licensed child care centers; prohibiting a unit from giving the preference to a certain
6 bidder or offeror over a bidder or an offeror that is a small business; authorizing the
7 Board of Public Works to adopt certain regulations; defining certain terms; and
8 generally relating to procurement preferences and bidders or offerors with on-site
9 child care centers.

10 BY adding to

11 Article – State Finance and Procurement

12 Section 14–701 and 14–702 to be under the new subtitle “Subtitle 7. On-Site Child
13 Care Centers”

14 Annotated Code of Maryland

15 (2015 Replacement Volume and 2018 Supplement)

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

18 **Article – State Finance and Procurement**

19 **SUBTITLE 7. ON-SITE CHILD CARE CENTERS.**

20 **14–701.**

21 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) “CHILD CARE CENTER” HAS THE MEANING STATED IN § 9.5–401 OF THE**
2 **EDUCATION ARTICLE.**

3 **(C) “LICENSED CHILD CARE CENTER” MEANS A CHILD CARE CENTER THAT:**

4 **(1) IS LICENSED UNDER TITLE 9.5, SUBTITLE 4 OF THE EDUCATION**
5 **ARTICLE; OR**

6 **(2) COMPLIES WITH THE APPLICABLE LAWS AND REGULATIONS**
7 **GOVERNING CHILD CARE CENTERS IN THE STATE IN WHICH THE BIDDER OR**
8 **OFFEROR IS LOCATED.**

9 **(D) “PREFERENCE” INCLUDES:**

10 **(1) A PERCENTAGE PRICE PREFERENCE; AND**

11 **(2) ANY OTHER PROVISION THAT FAVORS A BIDDER OR AN OFFEROR.**

12 **14–702.**

13 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, WHEN**
14 **AWARDING A CONTRACT FOR AN AMOUNT EXCEEDING \$500,000, A UNIT SHALL GIVE**
15 **A PREFERENCE TO A BIDDER OR AN OFFEROR THAT HAS A LICENSED CHILD CARE**
16 **CENTER LOCATED ON–SITE FOR USE BY THE EMPLOYEES OF THE BIDDER OR**
17 **OFFEROR.**

18 **(B) A UNIT MAY NOT GIVE A PREFERENCE TO A BIDDER OR AN OFFEROR**
19 **UNDER SUBSECTION (A) OF THIS SECTION OVER A BIDDER OR AN OFFEROR THAT IS**
20 **A SMALL BUSINESS THAT MEETS THE QUALIFICATIONS OF § 14–203 OF THIS TITLE.**

21 **(C) THE BOARD MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2019.