## **HOUSE BILL 1113**

P2 0lr0964

By: Delegates Charles, Acevero, B. Barnes, Crosby, D.E. Davis, Hornberger, Ivey, Johnson, Kelly, Lehman, Morgan, Mosby, Smith, Valentino-Smith, Walker, Washington, and Wilson

Introduced and read first time: February 6, 2020 Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2020

CHAPTER

- 1 AN ACT concerning
- 2 State Finance and Procurement Procurement Improvement Council <u>Form</u> 3 for Discussion and Report on the Required Use of eMaryland Marketplace
- FOR the purpose of requiring the Procurement Improvement Council to provide a forum to discuss the use of eMaryland Marketplace and compliance with certain provisions of law; requiring hospitals that receive certain funds to publish certain notices on eMaryland Marketplace; requiring the Council to report to certain committees of the General Assembly on or before a certain date; and generally relating to the Procurement Improvement Council and eMaryland Marketplace.
- 10 BY repealing and reenacting, without amendments,
- 11 Article State Finance and Procurement
- 12 Section 12–105(b) and 17–502
- 13 Annotated Code of Maryland
- 14 (2015 Replacement Volume and 2019 Supplement)
- 15 BY repealing and reenacting, with amendments,
- 16 Article State Finance and Procurement
- 17 Section 12–105(g) and 17–502
- 18 Annotated Code of Maryland
- 19 (2015 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

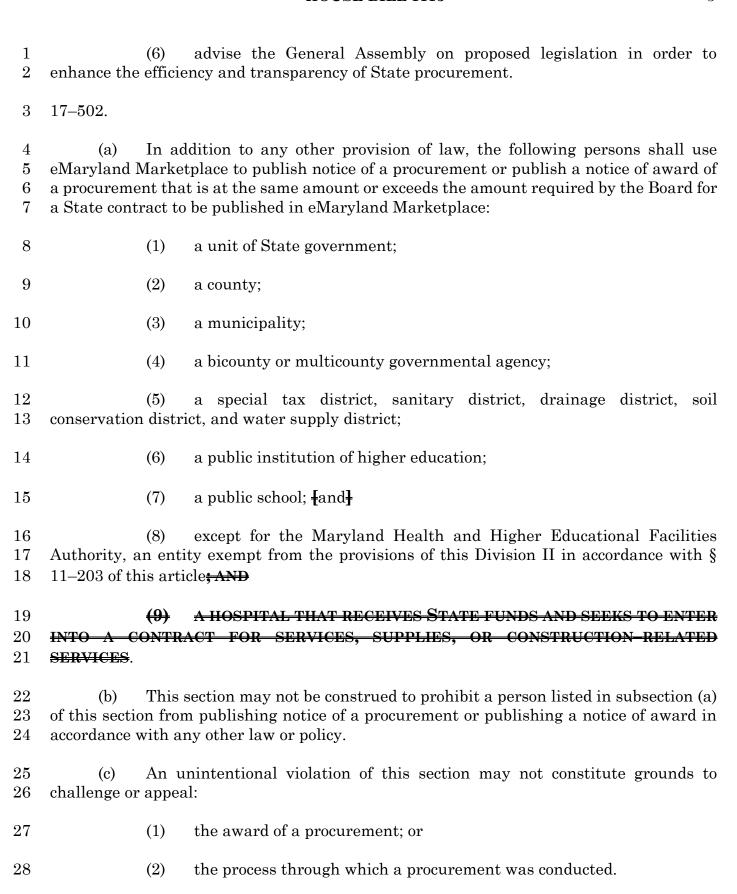
[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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



$1\\2$	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
3	Article - State Finance and Procurement
4	12–105.
5	(b) There is a Procurement Improvement Council.
6	(g) The Council shall:
7 8 9	(1) ensure that the State's procurement system is utilizing the most advanced procurement methods and management techniques, including policies, procedures, and forms for all procurement activity and contract management;
10 11 12	(2) effect and enhance communication between State units on procurement matters, with an emphasis on disseminating information on current developments and advances in procurement methods and management;
13 14	(3) provide a forum for the discussion of specific procurement issues and problems that arise, including:
15	(i) procurement officer training;
16	(ii) risk analysis and insurance requirements;
17 18	(iii) management of eMaryland Marketplace and other Internet procurement resources;
19 20	(IV) USE OF EMARYLAND MARKETPLACE AND COMPLIANCE WITH § $17-502(A)$ OF THIS ARTICLE;
21 22	[(iv)] (V) use of intergovernmental cooperative purchasing agreements; and
23	[(v)] (VI) any other issues or problems identified by the Council;
24 25	(4) advise the Board on problems in the procurement process and make recommendations for improvement of the process;
26	(5) review existing procurement regulations to:
27 28	(i) determine whether they fulfill the intent and purpose of the law, especially as it relates to fostering broad–based competition; and
29 30	(ii) make recommendations on the regulations, if revising and restructuring them will result in easier understanding and use; and



SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31,

2021, the Procurement Improvement Council shall submit a report to the Senate

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Article, that provides:  (1) guidelines on how to identify entities that are required to publis notices of procurement and awards of procurement on eMaryland Marketplace;
(2) guidelines on how to identify entities that do not comply with the requirement to publish notices of procurement and awards of procurement on eMarylar Marketplace and the reasons why the entities do not publish the required notices are awards; and
(3) recommendations on strategies and enforcement mechanisms improve compliance by entities required to publish notices of procurement and awards procurement on eMaryland Marketplace, including any necessary legislation to authorize or implement the strategies and enforcement mechanisms.
SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect Ju 1, 2020.
Approved:
Governor.
Speaker of the House of Delegates.