

SENATE BILL 872

P2, F2

2lr2149

By: **Senator Washington**

Introduced and read first time: February 7, 2022

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement – University System of Maryland, Morgan State University, St.**
3 **Mary’s College of Maryland, and Baltimore City Community College**

4 FOR the purpose of altering the requirements for procurement policies of the University
5 System of Maryland, Morgan State University, St. Mary’s College of Maryland, and
6 Baltimore City Community College to authorize rather than require, to the
7 maximum extent practicable, the purchasing of supplies and services in accordance
8 with certain procurement preferences; and generally relating to procurement and
9 universities.

10 BY repealing and reenacting, without amendments,
11 Article – State Finance and Procurement
12 Section 11–203(e)(1), (2), and (5)
13 Annotated Code of Maryland
14 (2021 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 11–203(e)(4)
18 Annotated Code of Maryland
19 (2021 Replacement Volume)

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

22 **Article – State Finance and Procurement**

23 11–203.

24 (e) (1) In this subsection, “University” means the University System of
25 Maryland, Morgan State University, or St. Mary’s College of Maryland.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Except as otherwise provided in this subsection, this Division II does
2 not apply to the University System of Maryland, Morgan State University, St. Mary's
3 College of Maryland, or Baltimore City Community College.

4 (4) The policies of a University or Baltimore City Community College
5 [shall]:

6 (i) [to the maximum extent practicable, require the purchasing of]
7 **MAY AUTHORIZE THE PURCHASE OF** supplies and services in accordance with Title 14,
8 Subtitle 1 of this article;

9 (ii) **SHALL** promote the purposes of the regulations adopted by the
10 Department of General Services governing the procurement of architectural and
11 engineering services;

12 (iii) **SHALL** promote the purposes of § 13-402 of the State Personnel
13 and Pensions Article;

14 (iv) to the maximum extent practicable, **SHALL** be similar to §
15 13-218.1 of this article; and

16 (v) to the maximum extent practicable, **SHALL** require the
17 procurement of food in accordance with Title 14, Subtitle 7 of this article.

18 (5) (i) Except as provided in paragraph (7) of this subsection, the
19 following provisions of Division II of this article apply to a University and to Baltimore City
20 Community College:

21 1. § 11-205 of this subtitle ("Collusion");

22 2. § 11-205.1 of this subtitle ("Falsification, concealment,
23 etc., of material facts");

24 3. § 13-219 of this article ("Required clauses –
25 Nondiscrimination clause");

26 4. § 13-225 of this article ("Retainage");

27 5. Title 14, Subtitle 3 of this article ("Minority Business
28 Participation");

29 6. Title 14, Subtitle 7 of this article ("Certified Local Farm
30 Enterprise Program");

