

HOUSE BILL 1537

P2

6lr3586

By: **Delegate Hixson**

Introduced and read first time: February 19, 2016

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement – Priority of Purchasing Preferences – Individual With Disability**
3 **Owned Business**

4 FOR the purpose of altering the purchasing preference priority required to be given to
5 individual with disability owned businesses by State and State aided or controlled
6 entities when buying supplies and services; and generally relating to the priority of
7 purchasing preferences in State procurement law.

8 BY repealing and reenacting, with amendments,
9 Article – State Finance and Procurement
10 Section 14–103
11 Annotated Code of Maryland
12 (2015 Replacement Volume)

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

15 **Article – State Finance and Procurement**

16 14–103.

17 (a) A State or State aided or controlled entity shall buy supplies and services
18 from:

19 (1) Maryland Correctional Enterprises, as provided in Title 3, Subtitle 5 of
20 the Correctional Services Article, if State Use Industries provides the supplies or services;

21 (2) Blind Industries and Services of Maryland, if:

22 (i) Blind Industries and Services of Maryland provides the supplies
23 or services; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Maryland Correctional Enterprises does not provide the supplies
2 or services; **OR**

3 (3) the Employment Works Program established under § 14–108 of this
4 subtitle, if:

5 (i) a community service provider **OR AN INDIVIDUAL WITH**
6 **DISABILITY OWNED BUSINESS** provides the supplies or services;

7 (ii) neither Maryland Correctional Enterprises nor Blind Industries
8 and Services of Maryland provides the supplies or services; and

9 (iii) the State or a State aided or controlled entity is not required by
10 law to buy the supplies or services from any other unit of the State government[; or

11 (4) individual with disability owned businesses if:

12 (i) an individual with disability owned business provides the
13 supplies or services;

14 (ii) neither Maryland Correctional Enterprises, Blind Industries and
15 Services of Maryland, nor a community service provider provides the supplies or services;
16 and

17 (iii) a State or State aided or controlled entity is not required by law
18 to buy the supplies or services from any other unit of the State government].

19 (b) A State or State aided or controlled entity shall give preference to the
20 providers listed under subsection (a) of this section in the order that the providers are listed.

21 (c) To the extent practicable, a State or State aided or controlled entity shall
22 include in a maintenance contract that has a component for housekeeping or janitorial
23 services, a requirement that a prime contractor procure janitorial products from Blind
24 Industries and Services of Maryland when the specified products are available.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2016.