

HOUSE BILL 377

Q8, L6

3lr0398

By: **Montgomery County Delegation**

Introduced and read first time: January 26, 2023

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: March 1, 2023

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Village of Friendship Heights Special Taxing District**
3 **– Procurement**

4 **MC 15–23**

5 FOR the purpose of increasing the threshold amount above which the Friendship Heights
6 Village Council is prohibited from entering into a certain contract without a
7 competitive bidding process; authorizing the village council to enter into a certain
8 contract that exceeds the threshold amount without a competitive bidding process if
9 the procurement is in response to an emergency; and generally relating to
10 procurement in the Village of Friendship Heights special taxing district.

11 BY repealing and reenacting, with amendments,
12 The Public Local Laws of Montgomery County
13 Section 66–10
14 Article 16 – Public Local Laws of Maryland
15 (2004 Edition and September 2022 Supplement, as amended)

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

18 **Article 16 – Montgomery County**

19 Sec. 66–10.

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 (a) [The] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE**
 2 “Friendship Heights Village Council” may not expend for material or work a sum exceeding
 3 **[\$5,000] \$20,000** without having first advertised the specifications therefor and inviting
 4 bids for it, after which the village council may purchase whatever material or make contract
 5 for work or have the work done by employed labor or otherwise, as it may deem best.

6 (b) **(1) IN THIS SUBSECTION, “EMERGENCY” MEANS AN OCCURRENCE OR**
 7 **CONDITION THAT:**

8 **(I) THE VILLAGE COUNCIL REASONABLY COULD NOT FORESEE;**
 9 **AND**

10 **(II) REQUIRES AN ACTION TO AVOID OR MITIGATE SERIOUS**
 11 **DAMAGE TO PUBLIC HEALTH, SAFETY, OR WELFARE.**

12 **(2) THE VILLAGE COUNCIL, BY MAJORITY VOTE, MAY ENTER INTO A**
 13 **CONTRACT EXCEEDING \$20,000 WITHOUT SEEKING COMPETITIVE BIDS IF THE**
 14 **PROCUREMENT IS IN RESPONSE TO AN EMERGENCY.**

15 **(C)** The village council may engage in cooperative procurement with other
 16 governmental entities in Montgomery County.

17 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
 18 **October 1, 2023.**

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.