

Chapter 635

(House Bill 1446)

AN ACT concerning

**Procurement Preferences – Blind Industries and Services of Maryland –
Janitorial Products**

FOR the purpose of clarifying that the requirement that a State or State aided or controlled entity include in certain maintenance contracts a requirement that a prime contractor procure certain products from the Blind Industries and Services of Maryland under certain circumstances applies to products made ~~or~~ manufactured, remanufactured, or assembled by the Blind Industries and Services of Maryland; providing for a delayed effective date; ~~providing for the application of a certain provision of law;~~ and generally relating to procurement preferences related to the Blind Industries and Services of Maryland.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–103
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Article – State Finance and Procurement

14–103.

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

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

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

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

(ii) Maryland Correctional Enterprises does not provide the supplies or services; or

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

(i) a community service provider or an individual with disability owned business provides the supplies or services;

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

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

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

(c) ~~(1)~~ To the extent practicable, a State or State aided or controlled entity shall include in a maintenance contract that has a component for housekeeping or janitorial services, a requirement that a prime contractor procure janitorial products from Blind Industries and Services of Maryland [when] **IF the specified products ARE MADE OR, MANUFACTURED, REMANUFACTURED, OR ASSEMBLED BY BLIND INDUSTRIES AND SERVICES OF MARYLAND AND** are available.

~~(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO ANY PRODUCT THAT BLIND INDUSTRIES AND SERVICES OF MARYLAND REPACKAGES BUT DOES NOT MAKE OR MANUFACTURE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1, 2017~~ May 1, 2018.

Approved by the Governor, May 25, 2017.