

HOUSE BILL 1446

P2

7lr2872
CF SB 1144

By: **Delegates Hayes, Angel, Bromwell, Krebs, Morgan, Morhaim, and Platt**

Introduced and read first time: February 10, 2017

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2017

CHAPTER _____

1 AN ACT concerning

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

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

11 BY repealing and reenacting, with amendments,
12 Article – State Finance and Procurement
13 Section 14–103
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2016 Supplement)

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

18 **Article – State Finance and Procurement**

19 14–103.

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.



(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.