

# HOUSE BILL 823

K4, P2

7lr1424  
CF SB 448

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By: **Delegate B. Barnes (Chair, Joint Committee on Pensions)**

Introduced and read first time: February 3, 2017

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Retirement and Pension System – Small Procurements – Medical**  
3 **Evaluations for Disability Retirement Benefits**

4 FOR the purpose of increasing the maximum threshold amount for a small procurement by  
5 the State Retirement Agency for certain expenses related to certain independent  
6 medical evaluations and certain related testimony for purposes of administering  
7 certain provisions of law relating to disability retirement benefits; and generally  
8 relating to disability retirement benefits under the State Retirement and Pension  
9 System.

10 BY repealing and reenacting, with amendments,  
11 Article – State Finance and Procurement  
12 Section 13–109  
13 Annotated Code of Maryland  
14 (2015 Replacement Volume and 2016 Supplement)

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

17 **Article – State Finance and Procurement**

18 13–109.

19 (a) In this section, “small procurement” means a procurement for which:

20 (1) a unit spends \$25,000 or less;

21 (2) a contractor provides services subject to § 11–202(3) of this article for  
22 expected annual revenues of \$25,000 or less; [or]

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) the Department of General Services is seeking to award a procurement  
2 contract for a construction with a value that is \$50,000 or less; OR

3 (4) FOR PURPOSES OF ADMINISTERING TITLE 29, SUBTITLE 1 OF THE  
4 STATE PERSONNEL AND PENSIONS ARTICLE, THE STATE RETIREMENT AGENCY  
5 SPENDS \$50,000 OR LESS DURING A FISCAL YEAR FOR:

6 (I) EXPENSES RELATED TO INDEPENDENT MEDICAL  
7 EVALUATIONS BY A PHYSICIAN; AND

8 (II) ANY EXPENSES RELATED TO TESTIMONY BY THE PHYSICIAN  
9 AT ADMINISTRATIVE HEARINGS ON BEHALF OF THE AGENCY.

10 (b) A unit may make small procurements in accordance with the regulations of  
11 primary procurement units.

12 (c) A primary procurement unit may not create a small procurement by artificial  
13 division of a procurement.

14 (d) Any regulation of a primary procurement unit to govern small procurements:

15 (1) shall provide for a simplified administrative procedure;

16 (2) shall be consistent with the basic intent of this Division II; and

17 (3) may not be disadvantageous economically to the State.

18 (e) At least every 3 years, the Board shall:

19 (1) review the prevailing costs of labor and materials; and

20 (2) if warranted by changes in cost, recommend to the General Assembly  
21 appropriate adjustments in the ceiling for a small procurement.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
23 1, 2017.