

# SENATE BILL 183

P2

2lr0025

(PRE-FILED)

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By: **Chair, Budget and Taxation Committee (By Request – Departmental – Information Technology)**

Requested: September 22, 2021

Introduced and read first time: January 12, 2022

Assigned to: Budget and Taxation

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 1, 2022

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Government – Information Technology – Review of Projects and Proposals**

3 FOR the purpose of altering the information technology proposals of which a unit of State  
4 government is required to advise the Secretary of Information Technology; and  
5 generally relating to the information technology used by State government.

6 BY repealing and reenacting, without amendments,

7 Article – State Finance and Procurement

8 Section 3A–101(a), (c), and (e)

9 Annotated Code of Maryland

10 (2021 Replacement Volume)

11 BY repealing and reenacting, with amendments,

12 Article – State Finance and Procurement

13 Section 3A–307(c)

14 Annotated Code of Maryland

15 (2021 Replacement Volume)

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**

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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 3A-101.

2 (a) In this title the following words have the meanings indicated.

3 (c) “Secretary” means the Secretary of Information Technology.

4 (e) “Unit of State government” means an agency or unit of the Executive Branch  
5 of State government.

6 3A-307.

7 (c) (1) A unit of State government shall advise the Secretary of any  
8 information technology proposal involving:

9 (I) resource sharing[.];

10 (II) the exchange of goods or services[, or];

11 (III) a gift, contribution, or grant of real or personal property; OR

12 (IV) **THE SALE, LEASE, EXCHANGE, OR OTHER DISPOSITION OF**  
13 **COMMUNICATIONS FACILITIES OR COMMUNICATIONS FREQUENCIES.**

14 (2) The Secretary shall determine if the value of the resources, services,  
15 [and] property, **OR OTHER CONSIDERATION** to be obtained by the State under the terms  
16 of any proposal submitted in accordance with [the provisions of] paragraph (1) of this  
17 subsection equals or exceeds \$100,000.

18 (3) If the value of any proposal submitted in accordance with this  
19 subsection equals or exceeds \$100,000 and the Secretary and unit agree to proceed with the  
20 proposal, information on the proposal shall be:

21 (i) advertised for a period of at least 30 days in the eMaryland  
22 Marketplace; and

23 (ii) submitted, simultaneously with the advertisement, to the  
24 Legislative Policy Committee for a 60-day review and comment period, during which time  
25 the Committee may recommend that the proposal be treated as a procurement contract  
26 under Division II of this article.

27 (4) Following the period for review and comment by the Legislative Policy  
28 Committee under paragraph (3) of this subsection, the proposal is subject to approval by  
29 the Board of Public Works.

30 (5) This subsection may not be construed as authorizing an exception from  
31 the requirements of Division II of this article for any contract that otherwise would be

1 subject to the State procurement process.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
3 October 1, 2022.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.