

Chapter 115

**(Senate Bill 183)**

AN ACT concerning

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

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

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 3A–101(a), (c), and (e)  
Annotated Code of Maryland  
(2021 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3A–307(c)  
Annotated Code of Maryland  
(2021 Replacement Volume)

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

**Article – State Finance and Procurement**

3A–101.

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

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

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

3A–307.

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

(I) resource sharing[,];

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

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

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

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

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

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

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

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

(5) This subsection may not be construed as authorizing an exception from the requirements of Division II of this article for any contract that otherwise would be subject to the State procurement process.

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

**Approved by the Governor, April 12, 2022.**