

Chapter 82

(Senate Bill 448)

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–109  
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**

13–109.

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

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

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

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

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

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

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

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

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

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

(1) shall provide for a simplified administrative procedure;

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

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

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

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

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

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

**Approved by the Governor, April 11, 2017.**