

(2) "MARYLAND FIRM" MEANS A BUSINESS ENTITY THAT HAS ITS PRINCIPAL OFFICE IN THE STATE.

(3) "NONRESIDENT FIRM" MEANS A BUSINESS ENTITY THAT HAS ITS PRINCIPAL OFFICE OUT OF THE STATE.

(B) (1) WHEN AWARDING A CONTRACT BY COMPETITIVE BIDDING, IF THE STATE IN WHICH A NONRESIDENT FIRM IS LOCATED GIVES AN ADVANTAGE TO ITS RESIDENT BUSINESSES, A POLITICAL SUBDIVISION OR ANY INSTRUMENTALITY OF GOVERNMENT WITHIN THE STATE MAY GIVE AN IDENTICAL ADVANTAGE TO THE LOWEST RESPONSIVE AND RESPONSIBLE BID FROM A MARYLAND FIRM OVER THAT OF THE NONRESIDENT FIRM.

(2) AN ADVANTAGE MAY INCLUDE:

(I) A PERCENTAGE PREFERENCE;

(II) AN EMPLOYEE RESIDENCY REQUIREMENT; OR

(III) ANY OTHER PROVISION THAT FAVORS A NONRESIDENT FIRM OVER A MARYLAND FIRM.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1987.

Approved June 2, 1987.

-----

CHAPTER 749

(House Bill 654)

AN ACT concerning

Procurement - Resident Business Preferences

FOR the purpose of revising the resident business preference provision of the State procurement law by authorizing a procurement agency, when awarding a contract by competitive bidding, to give certain advantages to a Maryland firm over certain nonresident firms under certain circumstances; authorizing political subdivisions and certain entities to grant a resident business preference when awarding contracts by competitive bidding; and generally relating to preferences for Maryland firms in the award of contracts by competitive bidding under the State procurement law.

BY repealing and reenacting, with amendments,

Article - State Finance and Procurement