

HOUSE BILL 1479

F5, L6

5lr3246

By: **Delegate Miller**

Introduced and read first time: February 7, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Procurement Contracts and Memoranda of Understanding –**
3 **Reporting**

4 FOR the purpose of requiring the reporting of certain procurement contracts and
5 memoranda of understanding entered into by certain public elementary and
6 secondary education systems in the State; and generally relating to procurement
7 contracts and memoranda of understanding entered into by education systems in the
8 State.

9 BY adding to
10 Article – Education
11 Section 2–307
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2024 Supplement)

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

16 **Article – Education**

17 **2–307.**

18 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
19 **INDICATED.**

20 **(2) “COVERED ENTITY” MEANS:**

21 **(I) A COUNTY BOARD;**

22 **(II) A COUNTY SUPERINTENDENT;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(III) A SCHOOL IN THE PUBLIC ELEMENTARY AND SECONDARY EDUCATION SYSTEM OF THE STATE;

(IV) THE STATE BOARD; OR

(V) THE STATE SUPERINTENDENT.

(3) "PROCUREMENT CONTRACT" HAS THE MEANING STATED IN § 11-101 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION APPLIES TO:

(I) A MEMORANDUM OF UNDERSTANDING ENTERED INTO BY A COVERED ENTITY; AND

(II) A PROCUREMENT CONTRACT ENTERED INTO BY A COVERED ENTITY.

(2) THIS SECTION DOES NOT APPLY TO A PROCUREMENT CONTRACT OR MEMORANDUM OF UNDERSTANDING THAT INCLUDES INFORMATION THAT:

(I) MAY BE WITHHELD FROM DISCLOSURE BY LAW; OR

(II) IS PROHIBITED FROM DISCLOSURE BY LAW.

(C) (1) (I) ON OR BEFORE SEPTEMBER 1 EACH YEAR, EACH COVERED ENTITY SHALL REPORT TO THE STATE SUPERINTENDENT A LIST OF EACH PROCUREMENT CONTRACT OR MEMORANDUM OF UNDERSTANDING ENTERED INTO IN THE PRECEDING FISCAL YEAR BY THE COVERED ENTITY.

(II) A COVERED ENTITY THAT IS A COUNTY SUPERINTENDENT OR A SCHOOL IN THE PUBLIC ELEMENTARY AND SECONDARY EDUCATION SYSTEM OF THE STATE MAY SATISFY THE REPORTING REQUIREMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH BY SUBMITTING THE REQUIRED INFORMATION TO THE COUNTY BOARD OF EDUCATION BY A DATE DETERMINED BY THE COUNTY BOARD OF EDUCATION.

(III) AS PART OF A REPORT MADE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A COUNTY BOARD SHALL REPORT ANY INFORMATION RECEIVED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.

1 **(2) (I) ON OR BEFORE OCTOBER 1 EACH YEAR, THE STATE**
2 **SUPERINTENDENT SHALL:**

3 **1. ISSUE A REPORT COMPILING THE INFORMATION**
4 **PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND**

5 **2. SUBMIT THE REPORT, IN ACCORDANCE WITH § 2-1257**
6 **OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE BUDGET AND TAXATION**
7 **COMMITTEE, THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE**
8 **ENVIRONMENT, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE WAYS**
9 **AND MEANS COMMITTEE.**

10 **(II) THE REPORT REQUIRED UNDER SUBPARAGRAPH (I) OF**
11 **THIS PARAGRAPH SHALL INCLUDE:**

12 **1. A LIST OF EACH PROCUREMENT CONTRACT AND**
13 **MEMORANDUM OF UNDERSTANDING ENTERED INTO BY EACH COVERED ENTITY;**

14 **2. THE TOTAL AMOUNT REQUIRED TO BE PAID BY A**
15 **COVERED ENTITY UNDER A PROCUREMENT CONTRACT; AND**

16 **3. THE TOTAL AMOUNT PAID BY A COVERED ENTITY**
17 **DURING THE PRECEDING FISCAL YEAR.**

18 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
19 **1, 2025.**