

SENATE BILL 290

P2, M2, M4

(PRE-FILED)

4lr0343
CF 4lr0344

By: **Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Agriculture)**

Requested: September 15, 2023

Introduced and read first time: January 10, 2024

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: January 31, 2024

CHAPTER _____

1 AN ACT concerning

2 **Certified Local Farm and Fish Program – Annual Waiver Reports – Alterations**

3 FOR the purpose of altering the annual deadline for the Office for the Certified Local Farm
4 and Fish Program to submit to the Board of Public Works a report of waivers
5 requested and waivers granted under the Certified Local Farm and Fish Program;
6 altering the annual deadline for the Board of Public Works to submit to certain
7 standing committees a copy of a record of information regarding any waivers
8 requested under the Certified Local Farm and Fish Program; and generally relating
9 to the Certified Local Farm and Fish Program.

10 BY repealing and reenacting, without amendments,
11 Article – State Finance and Procurement
12 Section 14–703(a)(1)
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2023 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 14–703(e) and (f)
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2023 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

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 That the Laws of Maryland read as follows:

2 **Article – State Finance and Procurement**

3 14–703.

4 (a) (1) Each unit shall structure procurement procedures, consistent with the
5 purposes of this subtitle, to try to achieve an overall percentage goal of 20% of the unit's
6 total dollar value of procurement contracts for food being made directly or indirectly to
7 certified local farms and certified Chesapeake invasive species providers.

8 (e) (1) (i) If a unit does not achieve the certified local farm and certified
9 Chesapeake invasive species provider participation goals on a procurement contract for
10 food, the unit shall demonstrate to the Office that the unit took all necessary and
11 reasonable steps to achieve the goals.

12 (ii) A waiver of any part of the certified local farm and certified
13 Chesapeake invasive species provider goals for a procurement contract for food shall be
14 granted if a unit provides to the Office a reasonable demonstration of good faith efforts to
15 achieve the goals.

16 (2) The Office may waive any of the requirements of this subsection
17 relating to the establishment, use, and waiver of certified local farm and certified
18 Chesapeake invasive species provider goals for a sole source, expedited, or emergency
19 procurement in which the public interest cannot reasonably accommodate use of those
20 requirements.

21 (3) Except for waivers granted in accordance with paragraph (2) of this
22 subsection, when a waiver determination is made, the Office shall issue the determination
23 in writing.

24 (4) On or before **[July 31] DECEMBER 31** each year, the Office shall
25 submit directly to the Board an annual report of waivers requested and waivers granted
26 under this subsection.

27 (5) The report required under paragraph (4) of this subsection shall contain
28 the following information on those procurement contracts for food where the Office
29 considered a unit's request for waiver of all or a portion of the local farm and Chesapeake
30 invasive species provider goals:

31 (i) the contract titles, numbers, and dates;

32 (ii) the number of waiver requests received;

33 (iii) the number of waiver requests granted; and

34 (iv) any other information specifically requested by the Board.

(f) The Board shall keep a record of information regarding any waivers requested in accordance with this section and submit a copy of the record to the Senate **COMMITTEE ON Education, [Health, and Environmental Affairs Committee] ENERGY, AND THE ENVIRONMENT** and the House Health and Government Operations Committee on or before **[October 1] ~~FEBRUARY 1~~ DECEMBER 31** each year, in accordance with § 2-1257 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.