

(d) *If any contract or purchase is entered into by the board of trustees of any community college and a conflict of interest exists contrary to the provisions of this section, the contract or purchase may be set aside in a suit brought on behalf of the board by its counsel or by the Attorney General of Maryland, unless the court finds the contract or purchase is in the public interest; and the burden of proof shall be upon the party seeking to uphold the contract or purchase to show that the contract or purchase is in the public interest; and except as herein provided, no contract or purchase of the board shall be set aside on the ground of conflict of interest.*

(e) *Any person who violates any of the provisions of this section is guilty of a misdemeanor and on conviction shall be punished by a fine of not more than \$1,000 or imprisonment for not more than one year; and, in addition it shall be obligatory upon the Governor forthwith to cause the convicted person to be removed from office.*

6BA.

If the cost of any building, improvement, supplies, or equipment of any sort for a community college exceeds the sum of five thousand dollars (\$5,000), the board of trustees for the college shall advertise for bids in one or more newspapers published in their respective counties, publication of the advertisement to appear at least two weeks prior to the date on which bids are to be filed. The contract for the building, improvements, supplies, or other equipment shall be awarded to the lowest responsible bidder, conforming to specifications, with consideration being given to quantities involved, time required for delivery, purpose for which required, competence and responsibility of bidder, and his ability to render satisfactory service; and the board of trustees may reject any and all bids and readvertise for other bids, and any contract entered into or purchase made in violation of the provisions of this section shall be null and void; but (1) the provisions of this section shall not apply to contracts for the purchase of books and/or other materials of instruction, (2) the board may name in the specifications and advertisements for bids under this section the particular make, kind or brand of article or articles to be purchased or contracted for, (3) nothing in this section applies to emergency repairs during the period of the regular academic year, and (4) this section shall not apply to contracting or purchasing for a community college done by a local government under procedures authorized by charter or by an act of the General Assembly.

SEC. 2. *And be it further enacted, That this Act shall take effect on July 1, 1971.*

Approved May 17, 1971.

CHAPTER 500

(House Bill 98)

AN ACT to add new Subsection (c) to Section 293 of Article 27 of the Annotated Code of Maryland (1970 Supplement 1971 REPLACEMENT VOLUME), title "Crimes and Punishments," sub-