

General Services - Purchase of Products and
Services of the Handicapped

FOR the purpose of requiring that the State purchase products and services of the handicapped under certain conditions.

BY adding to

Article 41 - Governor-Executive and Administrative
Departments
Section 231Y
Annotated Code of Maryland
(1971 Replacement Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 231Y be and it is hereby added to Article 41 - Governor-Executive and Administrative Departments of the Annotated Code of Maryland (1971 Replacement Volume and 1975 Supplement) to read as follows:

Article 41 - Governor-Executive and
Administrative Departments

231Y.

(A) NOTWITHSTANDING OTHER PROVISIONS OF THIS ACT, PRODUCTS AND SERVICES OF THE HANDICAPPED SHALL BE PURCHASED BY THE STATE IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

(B) (1) THE TERM "HANDICAPPED" REFERS TO AN INDIVIDUAL OR CLASS OF INDIVIDUALS UNDER A PHYSICAL DISABILITY (INCLUDING BLINDNESS) OR MENTAL DISABILITY, WHICH CONSTITUTES A SUBSTANTIAL HANDICAP TO EMPLOYMENT AND IS OF SUCH A NATURE AS TO PREVENT THE INDIVIDUAL UNDER SUCH DISABILITY FROM CURRENTLY ENGAGING IN NORMAL COMPETITIVE EMPLOYMENT.

(2) THE TERM CHARITABLE NONPROFIT AGENCY FOR THE "HANDICAPPED" MEANS AN AGENCY ORGANIZED UNDER THE LAWS OF THE UNITED STATES AND THE STATE OF MARYLAND OPERATED IN THE INTEREST OF HANDICAPPED INDIVIDUALS, AND THE NET INCOME OF WHICH DOES NOT INURE IN PART, OR IN WHOLE, TO THE BENEFIT OF ANY SHAREHOLDER OR OTHER INDIVIDUAL AND IS CERTIFIED AS A SHELTERED WORKSHOP BY THE WAGE AND HOUR DIVISION OF THE UNITED STATES DEPARTMENT OF LABOR.

(C) THE SECRETARY OF GENERAL SERVICES SHALL HAVE THE POWER, AND IT SHALL BE HIS DUTY, TO DETERMINE THE FAIR MARKET PRICE ON ALL SUITABLE PRODUCTS MANUFACTURED BY THE HANDICAPPED AND SERVICES RENDERED BY THE HANDICAPPED AND OFFERED FOR SALE TO THE STATE OR ANY OF ITS AGENCIES BY ANY CHARITABLE NONPROFIT AGENCY FOR THE HANDICAPPED, INCORPORATED UNDER THE LAWS OF THIS STATE,