

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

Article - State Finance and Procurement

11-145.

(a) (1) In this section the following words have the meanings indicated.

(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, a procurement agency shall give a percentage preference to the lowest responsive and responsible bid from a Maryland firm over that of a nonresident firm if the state in which the nonresident firm is located gives a resident business preference.

(2) The percentage of preference awarded under this section shall be the same as that awarded by the state in which the nonresident firm is located.]

(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 BUSINESS, A PROCUREMENT AGENCY 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 WHICH FAVORS A NONRESIDENT FIRM OVER A MARYLAND FIRM.

(c) If in conflict with any federal grant or regulation affecting the contract, the provisions of this section do not apply.

Article 24 - Political Subdivisions - Miscellaneous Provisions

8-102.

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