

[(u)](V) (1) "State correctional facilities" means correctional institutions, and all places of correctional confinement, that are located within the State of Maryland and are primarily operated by the Maryland State government.

(2) "State correctional facilities" includes Patuxent Institution.

[(v)](W) (1) "Supplies" means:

- (i) insurance;
- (ii) tangible personal property;
- (iii) printing; and
- (iv) services necessarily associated with insurance or tangible personal

property.

(2) "Supplies" does not include [an interest in real property]:

(I) AN INTEREST IN REAL PROPERTY; OR

(II) TANGIBLE PERSONAL PROPERTY ACQUIRED OR USED IN CONNECTION WITH AN ENERGY PERFORMANCE CONTRACT.

[(w)](X) (1) "Unit" means an officer or other entity that is in the Executive Branch of the State government and is authorized by law to enter into a procurement contract.

(2) "Unit" does not include:

(i) a bistate, multistate, bicounty, or multicounty governmental agency; or

(ii) a special tax district, sanitary district, drainage district, soil conservation district, water supply district, or other political subdivision of the State.

12-301.

(A) (1) BEFORE ISSUING A REQUEST FOR PROPOSALS FOR AN ENERGY PERFORMANCE CONTRACT, A PRIMARY PROCUREMENT UNIT SHALL CONSULT WITH THE MARYLAND ENERGY ADMINISTRATION.

(2) THE MARYLAND ENERGY ADMINISTRATION SHALL REVIEW THE PROPOSED REQUEST TO ENSURE THAT IT MEETS WITH THE STATE ENERGY STANDARDS AND IS IN CONFORMANCE WITH THE UNIT'S ENERGY CONSERVATION PLAN THAT HAS BEEN DEVELOPED IN ACCORDANCE WITH § 4-806 OF THIS ARTICLE.

(B) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND SUBJECT TO THE APPROVAL AND CONTROL OF THE BOARD OF PUBLIC WORKS, A PRIMARY PROCUREMENT UNIT OF STATE GOVERNMENT IS AUTHORIZED TO ENTER INTO ENERGY PERFORMANCE CONTRACTS OF UP TO 12 YEARS DURATION.