

[(b)](C) A procurement officer may deny public access to the advisory or deliberative records of an evaluator of a proposal if the records would not be available by law to a private party in litigation with the unit.

[(c)](D) (1) Before bid opening:

- (i) bids shall remain sealed; and
- (ii) the State may not disclose the name of a bidder.

(2) Before the closing date for proposals, a procurement officer may not disclose the name of a person who has submitted a proposal.

(3) Before awarding a procurement contract based on competitive sealed proposals, the State may not disclose the contents of a proposal to any person other than a person responsible for evaluating or reviewing the proposal.

[(d)](E) Subsections [(a)] (B)(1), [(b)] (C), and [(c)] (D) of this section do not affect the authority of the Board of Contract Appeals or a court of competent jurisdiction to:

- (1) decide that information is discoverable in an administrative or judicial proceeding; and
- (2) compel disclosure.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.

Approved May 27, 1993.

CHAPTER 506

(House Bill 212)

AN ACT concerning

Washington County – Public Improvements – County Participation

FOR the purpose of authorizing the Washington County Commissioners to contract, without advertising for bids, for certain public improvements; requiring that responsibility for the majority of the public improvement be with another public entity or a private entity; limiting any contract adopted under this provision to a certain amount; requiring that a contract adopted under this provision be based on written price quotations from a certain minimum number of contractors; requiring that any action by the County Commissioners to participate in a public improvement under this provision be taken at a regularly scheduled meeting of the County Commissioners; and generally relating to the authority of the Washington County Commissioners to participate in certain public improvements.

BY repealing and reenacting, without amendments,