

The only changes are in style.

12-402. STATE POLICY.

THE POLICY OF THIS STATE IS TO USE STATE EMPLOYEES TO PERFORM ALL STATE FUNCTIONS IN STATE-OPERATED FACILITIES IN PREFERENCE TO CONTRACTING WITH THE PRIVATE SECTOR TO PERFORM THOSE FUNCTIONS.

REVISOR'S NOTE: This section formerly was the first sentence of Art. 64A, § 58.

The only changes are in style.

12-403. APPROVAL OF SERVICE CONTRACT.

(A) IN GENERAL.

A SERVICE CONTRACT MAY BE ENTERED INTO ONLY AS APPROVED BY THE BOARD OF PUBLIC WORKS IN ACCORDANCE WITH THIS SUBTITLE.

(B) WHEN CONTRACT MAY BE APPROVED.

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE BOARD OF PUBLIC WORKS MAY APPROVE A SERVICE CONTRACT FOR A UNIT ONLY IF THE BOARD RECEIVES A CERTIFICATION FROM EACH OF THE DEPARTMENTS THAT:

(1) THE SERVICE CONTRACT IS EXEMPT UNDER § 12-404(B) OF THIS SUBTITLE; OR

(2) THE UNIT HAS COMPLIED WITH THE REQUIREMENTS OF § 12-404(C) OF THIS SUBTITLE.

(C) EXCEPTION.

IF THE GENERAL ASSEMBLY AUTHORIZES OR REQUIRES THAT CERTAIN SERVICES BE PERFORMED BY AN INDEPENDENT CONTRACTOR, THE BOARD OF PUBLIC WORKS MAY APPROVE A SERVICE CONTRACT FOR THOSE SERVICES WITHOUT THE CERTIFICATION REQUIRED BY SUBSECTION (B) OF THIS SECTION.

REVISOR'S NOTE: Subsections (a) and (b) of this section are new language derived without substantive change from former Art. 64A, § 59 and the second sentence of § 58.

Subsection (c) of this section is new language derived from the introductory exception in former Art. 64A, § 60.

Defined terms: "Departments" § 12-401

"Service contract" § 12-401

"Services" § 12-401

"Unit" § 12-401

12-404. CERTIFICATIONS BY DEPARTMENTS.

(A) IN GENERAL.