

(b) When a unit uses competitive sealed bidding to award a procurement contract, the unit may give a preference to the resident bidder who submits the lowest responsive bid from a resident bidder if:

- (1) the resident bidder is a responsible bidder;
- (2) a responsible bidder whose principal office OR OPERATION is in another state submits the lowest responsive bid;
- (3) the [other] state IN WHICH THE NONRESIDENT BIDDER'S PRINCIPAL OFFICE IS LOCATED OR THE STATES STATE IN WHICH A SIGNIFICANT PORTION OF THE VALUE OF THE SUPPLIES OR SERVICES TO BE PROVIDED BY THE NONRESIDENT BIDDER ORIGINATES OR IS PRODUCED ~~[gives]~~ GIVE HAS ITS PRINCIPAL OPERATION THROUGH WHICH IT WOULD PROVIDE SUPPLIES OR SERVICES ~~GIVES~~ a preference to ~~[its]~~ THEIR residents; and
- (4) a preference does not conflict with a federal law or grant affecting the procurement contract.

(c) (1) [A] AT THE REQUEST OF THE UNIT, A nonresident bidder submitting a proposal for a State project shall [attach to the proposal] PROVIDE a copy of the current statute, resolution, policy, procedure, or executive order [of the resident state of the nonresident bidder] that pertains to [that state's] THE treatment of nonresident bidders BY:

- (I) THE STATE IN WHICH THE NONRESIDENT BIDDER'S PRINCIPAL OFFICE IS LOCATED; AND
- (II) THE STATES STATE IN WHICH A SIGNIFICANT PORTION OF THE VALUE OF THE SUPPLIES OR SERVICES TO BE PROVIDED BY THE NONRESIDENT BIDDER ORIGINATES OR IS PRODUCED HAS ITS PRINCIPAL OPERATION THROUGH WHICH IT WOULD PROVIDE SUPPLIES OR SERVICES.

(2) A UNIT MAY GIVE A preference under this section [shall be] THAT IS identical to ANY OF THE FOLLOWING PREFERENCES, OR ANY COMBINATION OF THEM:

- (I) the preference that the [other] state IN WHICH THE NONRESIDENT BIDDER'S PRINCIPAL OFFICE IS LOCATED gives to its residents; OR
- (II) THE PREFERENCE THAT ANY OF THE STATES THE STATE IN WHICH A SIGNIFICANT PORTION OF THE VALUE OF THE SUPPLIES OR SERVICES TO BE PROVIDED BY THE NONRESIDENT BIDDER ORIGINATES OR IS PRODUCED GIVES TO ITS RESIDENTS HAS ITS PRINCIPAL OPERATION THROUGH WHICH IT WOULD PROVIDE SUPPLIES OR SERVICES.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in Title 14, Subtitle 3, Title 15, and Title 17, Subtitles 1 and 2 of the State Finance and Procurement Article, Division II of the State Finance and Procurement Article does not apply to the Maryland Port Administration for