

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2004.

Approved May 11, 2004.

CHAPTER 373

(House Bill 767)

AN ACT concerning

Procurement – Board of Contract Appeals – Jurisdiction over State Claims

FOR the purpose of authorizing an interested party to appeal a final action on a procurement contract claim made by a State agency to the State Board of Contract Appeals; altering the jurisdiction of the Appeals Board; clarifying that certain claims procedures for a procurement contract apply only to a claim by a contractor; establishing certain contract claims procedures for a State contract claim; requiring a State contract claim to include certain information; requiring the procurement officer to review a State contract claim; authorizing the procurement officer to request additional information or to discuss or negotiate a State contract claim with the State agency or the contractor; requiring the procurement officer to prepare a proposed decision on a State contract claim under certain circumstances; requiring a procurement officer to include certain information and the supporting rationale in a proposed decision; providing for review of a proposed decision by certain persons under certain circumstances; authorizing a reviewing authority to approve, disapprove, or modify a proposed decision; establishing that approval, disapproval, or modification of a proposed decision by the reviewing authority constitutes the final action of the State agency on the contract claim; authorizing a reviewing authority to remand with instructions a disapproved proposed decision to the procurement officer; authorizing the award of interest to a State agency under a procurement contract claim; and generally relating to the authority of the State Board of Contract Appeals over a procurement contract claim made by a State agency.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 15–201, 15–215(b), and 15–219

Annotated Code of Maryland

(2001 Replacement Volume and 2003 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 15–211, 15–217(a), 15–218, 15–220(a), and 15–222(a) and (b)

Annotated Code of Maryland

(2001 Replacement Volume and 2003 Supplement)