

and generally relating to prohibitions against and disclosures relating to conflicts of interest in the State procurement process.

BY repealing and reenacting, with amendments,

Article – State Government

Section 15-508

Annotated Code of Maryland

(1999 Replacement Volume)

BY adding to

Article – ~~State Government~~ State Finance and Procurement

Section ~~15-509~~ 13-212

Annotated Code of Maryland

~~(1999~~ 1995 Replacement Volume and 1999 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

### **Article – State Government**

15-508.

(a) An individual OR A PERSON THAT EMPLOYS AN INDIVIDUAL who assists an executive unit in the drafting of specifications, an invitation for bids, [or] a request for proposals for a procurement, or THE SELECTION OR AWARD MADE IN RESPONSE TO AN INVITATION FOR BIDS OR REQUEST FOR PROPOSALS [a person that employs the individual,] may not:

(1) submit a bid or proposal for that procurement; or

(2) assist or represent another person, directly or indirectly, who is submitting a bid or proposal for that procurement.

(b) For purposes of subsection (a) of this section, assisting in the drafting of specifications, an invitation for bids, or a request for proposals for a procurement does not include:

(1) providing descriptive literature such as catalogue sheets, brochures, technical data sheets, or standard specification "samples", whether requested by an executive agency or provided on an unsolicited basis;

(2) submitting written comments on a specification prepared by an agency or on a solicitation for a bid or proposal when comments are solicited from two or more persons as part of a request for information or a prebid or preproposal process;

(3) providing specifications for a sole source procurement made in accordance with § 13-107 of the State Finance and Procurement Article; or

(4) providing architectural and engineering services for programming, master planning, or other project planning services.