

Md. State Finance and Procurement Code Ann. § 3.5-307

Current through all legislation from the 2023 Regular Session of the General Assembly.

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§ 3.5-307. Consistency with master plan — Review of projects and proposals.

(a)

(1) A unit of State government may not purchase, lease, or rent information technology unless consistent with the master plan.

(2) A unit of State government other than a public institution of higher education may not make expenditures for major information technology development projects or cybersecurity projects except as provided in § 3.5-308 of this subtitle.

(b) The Secretary may review any information technology project or cybersecurity project for consistency with the master plan.

(c)

(1) A unit of State government shall advise the Secretary of any information technology proposal involving:

(i) resource sharing;

(ii) the exchange of goods or services;

(iii) a gift, contribution, or grant of real or personal property; or

(iv) the sale, lease, exchange, or other disposition of communications facilities or communications frequencies.

(2) The Secretary shall determine if the value of the resources, services, property, or other consideration to be obtained by the State under the terms of any proposal submitted in accordance with paragraph (1) of this subsection equals or exceeds \$100,000.

(3) If the value of any proposal submitted in accordance with this subsection equals or exceeds \$100,000 and the Secretary and unit agree to proceed with the proposal, information on the proposal shall be:

(i) advertised for a period of at least 30 days in the eMaryland Marketplace; and

(ii) submitted, simultaneously with the advertisement, to the Legislative Policy Committee for a 60-day review and comment period, during which time the Committee may recommend that the proposal be treated as a procurement contract under Division II of this article.

(4) Following the period for review and comment by the Legislative Policy Committee under paragraph (3) of this subsection, the proposal is subject to approval by the Board of Public Works.

(5) This subsection may not be construed as authorizing an exception from the requirements of Division II of this article for any contract that otherwise would be subject to the State procurement process.

History

2008, ch. 9, § 2; 2014, ch. 137, § 2; 2022, ch. 115, § 1; renumbered from § 3A-307 by 2022, ch. 241, § 1 and ch. 242, § 1; ch. 241, § 2; ch. 242, § 2.

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