

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2026, Legislative Day No. 15

Bill No. 82-26

Councilmembers Marks & Mangione

By the County Council, August 3, 2026

A BILL
ENTITLED

AN ACT concerning

Surplus Commodities – Alternative Disposition Methods for Public and Nonprofit Entities
FOR the purpose of establishing alternative disposition methods for the County Purchasing Agent, including the donation, lease, loan, or below-market-rate sale of surplus commodities to certain public entities or private nonprofit entities under certain circumstances; authorizing the Purchasing Agent to grant a right of first refusal to certain nonprofit entities for surplus public safety commodities, with the approval of the County Administrative Officer; requiring the County to amend the County Purchasing Manual with the provisions of this Act; and generally relating to the disposition of surplus commodities.

BY repealing and re-enacting, without amendments

Sections 10-2-101(a), (e), and (i), and 10-2-109
Article 10 – Finance
Title 2 – Purchasing
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY repealing and re-enacting, with amendments

Sections 10-2-313 and 10-2-315

Article 10 – Finance

Title 2 – Purchasing

Subtitle 3 – Contracts, Purchases, and Sales – In General

Part III – Sales

Baltimore County Code, 2015

BY adding

Section 10-2-316

Article 10 – Finance

Title 2 – Purchasing

Subtitle 3 – Contracts, Purchases, and Sales – In General

Part III – Sales

Baltimore County Code, 2015

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
COUNTY, MARYLAND, that the Laws of Baltimore County shall read as follows:

ARTICLE 10 – FINANCE

Title 2 – Purchasing

Subtitle 1 – Definitions and General Provisions

§ 10-2-101. Definitions.

(a) In this title the following words have the meanings indicated.

(e) (1) “Commodity” means an article of trade or value, an item that is bought or sold, or any moveable or tangible item that is produced or used as the subject of trade or commerce.

(2) “Commodity” includes goods, materials, equipment, and supplies.

(i) “Purchasing agent” means the Director of Budget and Finance.

§ 10-2-109. Surplus, obsolete, and waste commodities.

(a) Each agency shall submit to the Purchasing Agent, at the times and in the form required by the Purchasing Agent, reports showing stocks of all commodities that are no longer used or have become obsolete, worn out, or scrapped.

(b) Instead of filling an agency's requisitions for the purchase of commodities, the Purchasing Agent may transfer commodities of a similar nature from one agency to another agency to meet the requesting agency's needs.

Subtitle 3 – Contracts, Purchases, and Sales – In General

Part III – Sales

§ 10-2-313. In general.

If commodities owned by the county cannot be used by any agency or have become unsuitable for county use, the Purchasing Agent may:

(1) Exchange or trade-in the commodities in part or in full payment for new commodities; [or]

(2) Sell the commodities:

(i) In the open market as provided in § 10-2-314 of this subtitle; or

(ii) As provided in § 10-2-315 of this subtitle; OR

(3) DISPOSE OF THE COMMODITIES AS PROVIDED IN § 10-2-316 OF THIS SUBTITLE.

1 § 10-2-315. Sale by contract.

2 (a) All sales of personal property which has become obsolete and unusable, when the
3 estimated value exceeds \$25,000, shall be sold by formal written contract to the highest
4 responsive and responsible bidder after due notice, as determined by the Purchasing Agent,
5 inviting proposals.

6 (b) The Purchasing Agent shall award contracts for sales of personal property under this
7 section to the highest responsive and responsible bidder under the applicable provisions of the
8 contract procedure provided in Subtitle 4 of this title.

9 (C) THIS SECTION DOES NOT APPLY TO PERSONAL PROPERTY SOLD
10 UNDER § 10-2-316 OF THIS SUBTITLE.

11
12 § 10-2-316. ALTERNATIVE DISPOSITION OF SURPLUS COMMODITIES.

13 (A) IF THE COUNTY ADMINISTRATIVE OFFICER DETERMINES THE
14 DISPOSITION WOULD BENEFIT THE RESIDENTS OF BALTIMORE COUNTY, THE
15 PURCHASING AGENT MAY:

16 (1) DONATE, LEASE, LOAN, OR SELL BELOW FAIR MARKET VALUE,
17 SURPLUS COMMODITIES TO:

18 (I) THE FEDERAL GOVERNMENT, THE STATE, OR A PUBLIC OR
19 QUASI-PUBLIC ENTITY THAT IS FUNDED IN WHOLE OR IN PART BY COUNTY OR
20 STATE MONIES;

21 (II) A PUBLIC SERVICE ORGANIZATION, INSTITUTION,
22 ASSOCIATION, SOCIETY, OR CORPORATION THAT IS EXEMPT FROM TAXATION
23 UNDER § 501(C)(3) OR § 501(C)(4) OF THE INTERNAL REVENUE CODE; OR

1 (III) A PRIVATE NONPROFIT ENTITY THAT IS
2 HEADQUARTERED IN THE COUNTY AND WHOSE PRIMARY PURPOSE IS TO
3 PERFORM PUBLIC SAFETY FUNCTIONS IN THE COUNTY; AND

4 (2) WITH THE APPROVAL OF THE COUNTY ADMINISTRATIVE
5 OFFICER, GRANT A RIGHT OF FIRST REFUSAL FOR SURPLUS PUBLIC SAFETY
6 COMMODITIES TO NONPROFIT ENTITIES THAT ARE HEADQUARTERED IN THE
7 COUNTY AND WHOSE PRIMARY PURPOSE IS TO PERFORM PUBLIC SAFETY
8 FUNCTIONS IN THE COUNTY.

9 (B) THE DISPOSITION OF A PUBLIC SAFETY COMMODITY UNDER
10 SUBSECTION (A) OF THIS SECTION TO A VOLUNTEER FIRE COMPANY SHALL BE
11 ACCOMPANIED BY A WRITTEN RECOMMENDATION BY THE BALTIMORE COUNTY
12 VOLUNTEER FIRE ASSOCIATION.

13 (C) THE RECIPIENT OF A COMMODITY UNDER THIS SECTION SHALL
14 ASSUME ALL LIABILITIES ASSOCIATED WITH THE COMMODITY AND, IF
15 APPLICABLE, ALL OWNERSHIP RESPONSIBILITIES.

16 (D) THE PURCHASING AGENT MAY SET ADDITIONAL TERMS AND
17 CONDITIONS REGARDING THE DISPOSITION OF A COMMODITY UNDER THIS
18 SECTION.

19
20 SECTION 2. AND BE IT FURTHER ENACTED, that, in accordance with § 10-2-105
21 of the Code, the County shall amend the Purchasing Manual in accordance with the provisions of
22 this Act.
23

1 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by
2 the affirmative vote of five members of the County Council, shall take effect 14 days from the
3 date of enactment.