

HOUSE BILL 50

P2

3lr0781

(PRE-FILED)

By: **Delegate B. Robinson**

Requested: November 13, 2012

Introduced and read first time: January 9, 2013

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Minority Business Enterprise Certification – Cap on Personal Net Worth**

3 FOR the purpose of altering the amount of the cap on the personal net worth
4 requirement for certification as a minority business enterprise; and generally
5 relating to the requirements for certification as a minority business enterprise.

6 BY repealing and reenacting, with amendments,
7 Article – State Finance and Procurement
8 Section 14–301(j)
9 Annotated Code of Maryland
10 (2009 Replacement Volume and 2012 Supplement)

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

13 **Article – State Finance and Procurement**

14 14–301.

15 (j) (1) Subject to paragraphs (2) and (3) of this subsection, and in
16 accordance with the State’s most recent disparity study, “socially and economically
17 disadvantaged individual” means a citizen or lawfully admitted permanent resident of
18 the United States who is:

19 (i) in any of the following minority groups:

20 1. African American – an individual having origins in
21 any of the black racial groups of Africa;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2. American Indian/Native American – an individual
2 having origins in any of the original peoples of North America and who is a
3 documented member of a North American tribe, band, or otherwise has a special
4 relationship with the United States or a state through treaty, agreement, or some
5 other form of recognition. This includes an individual who claims to be an American
6 Indian/Native American and who is regarded as such by the American Indian/Native
7 American community of which the individual claims to be a part, but does not include
8 an individual of Eskimo or Aleutian origin;

9 3. Asian – an individual having origins in the Far East,
10 Southeast Asia, or the Indian subcontinent, and who is regarded as such by the
11 community of which the person claims to be a part;

12 4. Hispanic – an individual of Mexican, Puerto Rican,
13 Cuban, Central or South American, or other Spanish culture or origin, regardless of
14 race, and who is regarded as such by the community of which the person claims to be a
15 part;

16 5. physically or mentally disabled – notwithstanding the
17 State’s most recent disparity study, an individual who has an impairment that
18 substantially limits one or more major life activities, who is regarded generally by the
19 community as having such a disability, and whose disability has substantially limited
20 his or her ability to engage in competitive business; or

21 6. women – a woman, regardless of race or ethnicity; or

22 (ii) otherwise found by the certification agency to be a socially
23 and economically disadvantaged individual.

24 (2) There is a rebuttable presumption that an individual who is a
25 member of a minority group under paragraph (1)(i) of this subsection is socially and
26 economically disadvantaged.

27 (3) An individual whose personal net worth exceeds **[\$1,500,000]**
28 **\$3,000,000**, as adjusted annually for inflation according to the Consumer Price Index,
29 may not be found to be economically disadvantaged.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2013.