

HOUSE BILL 282

P2

6lr1535

By: **Delegate B. Robinson**

Introduced and read first time: January 26, 2016

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement Preferences – Small Businesses and Minority Business**
3 **Enterprises – Workshop Requirement**

4 FOR the purpose of requiring that certain regulations related to the Small Business
5 Preference Program include a requirement that a business participate in a certain
6 workshop or in a similar workshop or program to qualify as a small business;
7 requiring that certain regulations related to the Minority Business Participation
8 Program include a requirement that a minority business enterprise participate in a
9 certain workshop or in a similar workshop or program in order to be certified; and
10 generally relating to the small business and minority business enterprises
11 procurement preference.

12 BY repealing and reenacting, with amendments,
13 Article – State Finance and Procurement
14 Section 14–203 and 14–303(b)(19) and (20)
15 Annotated Code of Maryland
16 (2015 Replacement Volume)

17 BY repealing and reenacting, without amendments,
18 Article – State Finance and Procurement
19 Section 14–303(a)(1)(i)
20 Annotated Code of Maryland
21 (2015 Replacement Volume)

22 BY adding to
23 Article – State Finance and Procurement
24 Section 14–303(b)(20)
25 Annotated Code of Maryland
26 (2015 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – State Finance and Procurement**

4 14–203.

5 (a) By regulation, the Secretary of General Services, the Secretary of
6 Transportation, the Chancellor of the University System of Maryland, and the President of
7 Morgan State University each shall specify the criteria that a business must meet to qualify
8 as a small business.

9 (b) (1) The criteria for qualification as a small business may vary among
10 industries to reflect their particular characteristics.

11 (2) Regulations adopted under this section shall include[,]:

12 (I) for each class of business, the maximum number of employees a
13 business may have to qualify as a small business; AND

14 (II) **A REQUIREMENT THAT A BUSINESS PARTICIPATE IN THE**
15 **READY, SET, GROW! WORKSHOP ADMINISTERED BY THE GOVERNOR’S OFFICE OF**
16 **MINORITY AFFAIRS OR IN A SIMILAR WORKSHOP OR PROGRAM IN ORDER TO**
17 **QUALIFY AS A SMALL BUSINESS.**

18 14–303.

19 (a) (1) (i) In accordance with Title 10, Subtitle 1 of the State Government
20 Article, the Board shall adopt regulations consistent with the purposes of this Division II
21 to carry out the requirements of this subtitle.

22 (b) These regulations shall include:

23 (19) a requirement that each unit work with the Governor’s Office of
24 Minority Affairs to designate certain procurements as being excluded from the
25 requirements of § 14–302(a) of this subtitle; [and]

26 (20) **A REQUIREMENT THAT A MINORITY BUSINESS ENTERPRISE**
27 **PARTICIPATE IN THE READY, SET, GROW! WORKSHOP ADMINISTERED BY THE**
28 **GOVERNOR’S OFFICE OF MINORITY AFFAIRS, OR IN A SIMILAR WORKSHOP OR**
29 **PROGRAM, IN ORDER TO BE CERTIFIED; AND**

30 [(20)] (21) other provisions that the Board considers necessary or
31 appropriate to encourage participation by minority business enterprises and to protect the
32 integrity of the procurement process.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2016.