

SENATE BILL 779

P2

0lr3017

By: **Senator Griffith**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Commission on Minority- and Women-Owned Small Business Participation in**
3 **State Procurement**

4 FOR the purpose of establishing the Commission on Minority- and Women-Owned Small
5 Business Participation in State Procurement; providing for the duties, membership,
6 cochairs, and staffing of the Commission; prohibiting members of the Commission
7 from receiving certain compensation, but authorizing the reimbursement of certain
8 expenses; requiring the Commission to study, determine, review, and make
9 recommendations regarding certain matters; authorizing the Commission to create
10 certain committees for a certain purpose; requiring the Commission to report certain
11 findings and recommendations to the Governor and the General Assembly on or
12 before certain dates; providing for the termination of this Act; and generally relating
13 to the Commission on Minority- and Women-Owned Small Business Participation
14 in State Procurement.

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That:

17 (a) There is a Commission on Minority- and Women-Owned Small Business
18 Participation in State Procurement.

19 (b) The Commission consists of the following members:

20 (1) two members of the Senate of Maryland, appointed by the President of
21 the Senate;

22 (2) two members of the House of Delegates, appointed by the Speaker of
23 the House;

24 (3) the Comptroller, or the Comptroller's designee;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (4) the State Treasurer, or the State Treasurer's designee;
- 2 (5) the Secretary of General Services, or the Secretary's designee;
- 3 (6) the Secretary of Transportation, or the Secretary's designee;
- 4 (7) the Secretary of Commerce, or the Secretary's designee;
- 5 (8) the Secretary of Health, or the Secretary's designee;
- 6 (9) the Chancellor of the University System of Maryland, or the
7 Chancellor's designee;
- 8 (10) the President of Morgan State University, or the President's designee;
- 9 (11) the President of St. Mary's College of Maryland, or the President's
10 designee;
- 11 (12) the Special Secretary of the Governor's Office of Small, Minority &
12 Women Business Affairs, or the Special Secretary's designee; and
- 13 (13) the following members, appointed by the Governor:
- 14 (i) one representative of a registered small minority business
15 enterprise that served as a subcontractor on a State contract within the past 3 years;
- 16 (ii) one representative of a registered small minority business
17 enterprise that served as a prime contractor on a State contract within the past 3 years;
- 18 (iii) one representative of a registered small woman-owned business
19 enterprise that served as a subcontractor on a State contract within the past 3 years;
- 20 (iv) one representative of a registered small woman-owned business
21 enterprise that served as a prime contractor on a State contract within the past 3 years;
- 22 (v) two representatives of registered small minority business
23 enterprises that submitted a response to a procurement in the last year and to which no
24 award was made;
- 25 (vi) two representatives of registered small woman-owned business
26 enterprises that submitted a response to a procurement in the last year and to which no
27 award was made; and
- 28 (vii) three representatives of prime contractors on a State contract
29 within the past 3 years, provided that one shall have utilized the services of a small
30 minority business enterprise as a subcontractor and one shall have utilized the services of
31 a small woman-owned business enterprise as a subcontractor.

1 (c) (1) The President of the Senate shall designate one of the members
2 appointed from the Senate of Maryland as a cochair of the Commission.

3 (2) The Speaker of the House shall designate one of the members appointed
4 from the House of Delegates as a cochair of the Commission.

5 (d) The Department of Legislative Services shall provide staff for the
6 Commission.

7 (e) A member of the Commission:

8 (1) may not receive compensation as a member of the Commission; but

9 (2) is entitled to reimbursement for expenses under the Standard State
10 Travel Regulations, as provided in the State budget.

11 (f) The Commission shall:

12 (1) study the current State practices concerning small, minority, and
13 women business participation in State procurement contracts;

14 (2) review State practices that have helped to improve outcomes for
15 minority– and women–owned small business enterprises and determine common indicators
16 of success between these practices;

17 (3) determine whether any statutory or regulatory provisions or State
18 practices prevent minority– and women–owned small business enterprises from effectively
19 competing for State procurement contracts;

20 (4) review the best practices of the federal government and other states to
21 improve outcomes for minority– and women–owned small business enterprises in public
22 procurement contracts; and

23 (5) make recommendations regarding best practices for engaging and
24 improving outcomes for minority– and women–owned small business enterprises in State
25 procurement contracts, including suggestions for statutory and regulatory changes and
26 State programs.

27 (g) The Commission may establish committees as may be required to carry out its
28 duties.

29 (h) On or before December 1, 2020, the Commission shall report its preliminary
30 findings and recommendations to the Governor and, in accordance with § 2–1257 of the
31 State Government Article, the General Assembly.

32 (i) On or before December 1, 2021, the Commission shall report its findings and

1 recommendations to the Governor and, in accordance with § 2–1257 of the State
2 Government Article, the General Assembly.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
4 1, 2020. It shall remain effective for a period of 2 years and 1 month and, at the end of June
5 30, 2022, this Act, with no further action required by the General Assembly, shall be
6 abrogated and of no further force and effect.