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**By: Delegate Flanagan**

Introduced and read first time: February 2, 1996  
Assigned to: Commerce and Government Matters

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 13, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Minority Business Enterprise Certification - Appeal Process**

3 FOR the purpose of providing that certain minority business enterprise regulations  
4 adopted by the Board of Public Works include a provision that the decertification or  
5 denial of certification of a minority business enterprise may be appealed to the  
6 Office of Administrative Hearings.

7 BY repealing and reenacting, without amendments,  
8 Article - State Finance and Procurement  
9 Section 14-303(a)  
10 Annotated Code of Maryland  
11 (1995 Replacement Volume and 1995 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - State Finance and Procurement  
14 Section 14-303(b)(1)  
15 Annotated Code of Maryland  
16 (1995 Replacement Volume and 1995 Supplement)

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

19 **Article - State Finance and Procurement**

20 14-303.

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

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1                   (2) The regulations shall establish procedures to be followed by units,  
2 prospective contractors, and successful bidders or offerors to maximize notice to, and the  
3 opportunity to participate in the procurement process by, a broad range of minority  
4 business enterprises.

5                   (b) These regulations shall include:

6                   (1) provisions designating one agency to certify and decertify minority  
7 business enterprises for all units through a single process that:

8                   (I) meets applicable federal requirements; AND

9                   (II) PROVIDES AN OPPORTUNITY TO APPEAL THE AGENCY'S  
10 DECERTIFICATION OR DENIAL OF CERTIFICATION TO THE OFFICE OF  
11 ADMINISTRATIVE HEARINGS;

12                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 1996.