

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 721

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vaughn” and substitute “Vaughn, Boteler, Boutin, Bromwell, Costa, Donoghue, Elliott, Kach, Mandel, McDonough, Pendergrass, Rosenberg, Rudolph, Smigiel, and Weldon”; in line 2, strike “Department of General Services” and substitute “Procurement”; in line 3, strike “the Department of General Services” and substitute “a certain certification agency”; in line 5, strike the first “a” and substitute “the”; in the same line, after “directory,” insert “requiring the directory to be accessible to the public through the Internet;”; strike line 7 in its entirety and substitute “BY repealing and reenacting, with amendments,”; and in line 9, strike “4-210” and substitute “14-304”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 2 on page 2, inclusive, and substitute:

“14-304.

(A) (1) THE CERTIFICATION AGENCY SHALL DEVELOP AND MAINTAIN A DIRECTORY OF ALL CERTIFIED MINORITY BUSINESS ENTERPRISES.

(2) THE DIRECTORY SHALL BE ACCESSIBLE TO THE PUBLIC THROUGH THE INTERNET.

(3) FOR EACH MINORITY BUSINESS ENTERPRISE INCLUDED IN THE DIRECTORY, THE CERTIFICATION AGENCY SHALL INCLUDE THE FOLLOWING INFORMATION:

(I) ALL CONTRACT INFORMATION AVAILABLE TO THE

(Over)

CERTIFICATION AGENCY FOR THE MINORITY BUSINESS ENTERPRISE;

(II) THE CERTIFICATION NUMBER AND MINORITY STATUS OF THE MINORITY BUSINESS ENTERPRISE;

(III) CONTACT INFORMATION FOR UP TO THREE PROFESSIONAL REFERENCES FOR THE MINORITY BUSINESS ENTERPRISE; AND

(IV) ANY OTHER INFORMATION THE CERTIFICATION AGENCY CONSIDERS NECESSARY OR APPROPRIATE TO ENCOURAGE PARTICIPATION IN THE PROCUREMENT PROCESS BY MINORITY BUSINESS ENTERPRISES.

(4) THE CERTIFICATION AGENCY SHALL:

(I) UPDATE THE DIRECTORY AT LEAST MONTHLY; AND

(II) IDENTIFY AS RECENTLY CERTIFIED IN THE DIRECTORY EACH MINORITY BUSINESS ENTERPRISE THAT HAS OBTAINED CERTIFICATION DURING THE CALENDAR YEAR.

[(a)] (B) In the same manner and with the same fees as provided by law in civil cases, in a matter regarding the decertification of a certified minority business enterprise, the certification agency may:

(1) subpoena witnesses;

(2) administer oaths; and

(3) compel the production of records, books, papers, and other documents.

[(b)] (C) If a person fails to comply with a subpoena issued under subsection [(a)] (B) of this section, or fails to produce documents or other evidence, on petition of the certification agency, a court of competent jurisdiction may pass an order directing compliance with the subpoena or compelling the production of documents or other evidence.”.