
By: **Delegate Morhaim (Task Force to Study Efficiency in Procurement)
and Delegate Weldon**

Introduced and read first time: February 11, 2004

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Contract Appeals - Expedited Procedures - Legal**
3 **Representation**

4 FOR the purpose of authorizing certain persons, without being admitted to practice
5 law in the State, to represent certain contractors in an expedited procedure
6 before the State Board of Contract Appeals; providing that certain requirements
7 related to the practice of law in the State do not limit the right of certain persons
8 to represent certain contractors in these proceedings; clarifying that a person
9 may be represented by counsel in an appeal before the Appeals Board; providing
10 for the termination of this Act; and generally relating to legal representation for
11 a contractor in an expedited procedure before the State Board of Contract
12 Appeals.

13 BY repealing and reenacting, with amendments,
14 Article - Business Occupations and Professions
15 Section 10-102
16 Annotated Code of Maryland
17 (2000 Replacement Volume and 2003 Supplement)

18 BY adding to
19 Article - State Finance and Procurement
20 Section 15-213
21 Annotated Code of Maryland
22 (2001 Replacement Volume and 2003 Supplement)

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

1 **Article - Business Occupations and Professions**

2 10-102.

3 This title does not limit the right of:

4 (1) an individual to appear on the individual's own behalf before a court
5 or other unit of the State government;

6 (2) a title insurance company to examine and to insure titles to real
7 property;

8 (3) a collection company to engage in the business of collecting or
9 adjusting commercial claims; [or]

10 (4) a lawyer who is employed on a regular salaried basis by a corporation
11 to represent the corporation before a court or other unit of the State government; OR

12 (5) AN INDIVIDUAL TO REPRESENT A CONTRACTOR IN AN EXPEDITED
13 PROCEDURE BEFORE THE STATE BOARD OF CONTRACT APPEALS UNDER § 15-213 OF
14 THE STATE FINANCE AND PROCUREMENT ARTICLE.

15 **Article - State Finance and Procurement**

16 15-213.

17 (A) A PERSON MAY BE REPRESENTED BY COUNSEL IN AN APPEAL BEFORE
18 THE APPEALS BOARD.

19 (B) A SOLE PROPRIETOR, CORPORATE OFFICER OR DIRECTOR, GENERAL
20 PARTNER, LIMITED LIABILITY COMPANY MEMBER, PERSON WITH AT LEAST 10%
21 OWNERSHIP, OR OTHER PRINCIPAL OF A CONTRACTOR, WHO HAS NOT BEEN
22 ADMITTED TO PRACTICE LAW IN THE STATE, MAY REPRESENT THAT CONTRACTOR IN
23 AN EXPEDITED PROCEDURE BEFORE THE APPEALS BOARD.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2004. It shall remain effective for a period of 2 years and, at the end of
26 September 30, 2006, with no further action required by the General Assembly, this
27 Act shall be abrogated and of no further force and effect.