
By: **Delegates Morhaim, Cane, Love, Busch, Brown, Anderson, Harrison, Hammen, McIntosh, D. Davis, Vallario, Hixson, Conway, Zirkin, Cardin, Barve, Burns, Jones, Oaks, Benson, Mandel, Nathan-Pulliam, Bromwell, Murray, Donoghue, V. Turner, Hubbard, Kach, Frank, Pendergrass, Rudolph, Weldon, Boteler, Costa, Elliott, Goldwater, Kohl, Bobo, Aumann, Bohanan, Bozman, Branch, Bronrott, Cadden, Carter, G. Clagett, V. Clagett, Conroy, Cryor, C. Davis, DeBoy, Doory, Dumais, Feldman, Franchot, Frush, Gaines, Glassman, Goodwin, Gordon, Griffith, Gutierrez, Haynes, Healey, Holmes, Howard, James, Jameson, Kaiser, Kelley, King, Kirk, Krebs, Krysiak, Kullen, Lawton, Lee, Leopold, Levy, Madaleno, Malone, Marriott, Mayer, McComas, McHale, McKee, Menes, Minnick, Moe, Montgomery, Niemann, Paige, Parrott, Patterson, Petzold, Proctor, Pugh, Quinter, Ramirez, Rosenberg, Ross, Shank, Shewell, Simmons, Sophocleus, Stern, Taylor, Trueschler, F. Turner, Vaughn, Weir, Wood, and Heller**

Introduced and read first time: February 8, 2006

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement - Minority Business Participation**

3 FOR the purpose of continuing until a certain date the provisions of the State
 4 Procurement Law relating to procurement from minority businesses; requiring
 5 a certain study and a final report on the study by a certain date; and generally
 6 relating to minority business participation in State procurement.

7 BY repealing and reenacting, with amendments,
 8 Article - State Finance and Procurement
 9 Section 14-309
 10 Annotated Code of Maryland
 11 (2001 Replacement Volume and 2005 Supplement)

12 BY repealing and reenacting, with amendments,
 13 Chapter 116 of the Acts of the General Assembly of 1995, as amended by
 14 Chapters 495 and 496 of the Acts of the General Assembly of 2000 and
 15 Chapter 339 of the Acts of the General Assembly of 2001
 16 Section 2

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

1

Article - State Finance and Procurement

2 14-309.

3 The provisions of §§ 14-301 through 14-305 of this subtitle, and any regulations
4 adopted under those sections, shall be of no effect and may not be enforced after July
5 1, [2006] 2012.

6

**Chapter 116 of the Acts of 1995, as amended by Chapters 495 and 496 of the
7 Acts of 2000 and Chapter 339 of the Acts of 2001**

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Certification Agency,
9 in consultation with the General Assembly and the Office of the Attorney General,
10 shall initiate a study of the Minority Business Enterprise Program to evaluate the
11 Program's continued compliance with the requirements of the Croson decision and
12 any subsequent federal or constitutional requirements. In preparation for the study,
13 the Board of Public Works may adopt regulations authorizing a unit of State
14 government to require bidders and offerors to submit information necessary for the
15 conduct of the study. The Board of Public Works may designate that certain
16 information received in accordance with regulations adopted under this section shall
17 be confidential. Notwithstanding that certain information may be designated by the
18 Board of Public Works as confidential, the certification agency may provide the
19 information to any person that is under contract with the certification agency to
20 assist in conducting the study. The study shall also evaluate race neutral programs
21 and other methods that can be used to address the needs of minority businesses. The
22 final report on the study shall be submitted to the Legislative Policy Committee of the
23 General Assembly prior to [September 30, 2005] SEPTEMBER 30, 2011, so that the
24 General Assembly may review the report prior to the [2006] 2012 Session.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2006.