
By: ~~Delegates Morhaim~~, Delegate Morhaim, Delegate Hammen, Chair,
Health and Government Operations Committee (By Request -
Governor's Office of Minority Affairs and Transportation) and
~~Delegates 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 Heller, and McDonough

Introduced and read first time: February 8, 2006
 Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
 House action: Adopted
 Read second time: March 22, 2006

CHAPTER _____

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

1 (2001 Replacement Volume and 2005 Supplement)

2 BY repealing and reenacting, with amendments,
3 Chapter 116 of the Acts of the General Assembly of 1995, as amended by
4 Chapters 495 and 496 of the Acts of the General Assembly of 2000 and
5 Chapter 339 of the Acts of the General Assembly of 2001
6 Section 2

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

9 **Article - State Finance and Procurement**

10 14-309.

11 The provisions of §§ 14-301 through 14-305 of this subtitle, and any regulations
12 adopted under those sections, shall be of no effect and may not be enforced after July
13 1, [2006] ~~2012~~ 2011.

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That the Certification Agency,
17 in consultation with the General Assembly and the Office of the Attorney General,
18 shall initiate a study of the Minority Business Enterprise Program to evaluate the
19 Program's continued compliance with the requirements of the Croson decision and
20 any subsequent federal or constitutional requirements. In preparation for the study,
21 the Board of Public Works may adopt regulations authorizing a unit of State
22 government to require bidders and offerors to submit information necessary for the
23 conduct of the study. The Board of Public Works may designate that certain
24 information received in accordance with regulations adopted under this section shall
25 be confidential. Notwithstanding that certain information may be designated by the
26 Board of Public Works as confidential, the certification agency may provide the
27 information to any person that is under contract with the certification agency to
28 assist in conducting the study. The study shall also evaluate race neutral programs
29 and other methods that can be used to address the needs of minority businesses. The
30 final report on the study shall be submitted to the Legislative Policy Committee of the
31 General Assembly prior to [September 30, 2005] ~~SEPTEMBER 30, 2011~~ 2010, so that
32 the General Assembly may review the report prior to the [2006] ~~2012~~ 2011 Session.

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

