

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Health and Government Operations --

Introduced by ~~Senators Jones~~, Senator Jones (By Request - Legislative Black Caucus of Maryland and the Governor's Office of Minority Affairs) and Senators Britt, Conway, Currie, Exum, Frosh, Gladden, Hollinger, Hughes, Kelley, Lawlah, McFadden, Middleton, and Ruben

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

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
11 (2001 Replacement Volume and 2005 Supplement)

12 BY repealing and reenacting, with amendments,

1 Chapter 116 of the Acts of the General Assembly of 1995, as amended by
2 Chapters 495 and 496 of the Acts of the General Assembly of 2000 and
3 Chapter 339 of the Acts of the General Assembly of 2001
4 Section 2

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

7 **Article - State Finance and Procurement**

8 14-309.

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

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

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

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

