

HOUSE BILL 471

P2

9lr2793
CF 9lr0951

By: **Delegates Pena-Melnyk, Barnes, Braveboy, Ivey, Levi, V. Turner, Valderrama, and Walker**

Introduced and read first time: February 4, 2009

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Minority Business Enterprise Certification – Cap on Personal Net Worth**

3 FOR the purpose of altering the amount of the cap on the personal net worth
4 requirement for certification as a minority business enterprise; and generally
5 relating to requirements for certification as minority business enterprises.

6 BY repealing and reenacting, with amendments,
7 Article – State Finance and Procurement
8 Section 14–301(i)
9 Annotated Code of Maryland
10 (2006 Replacement Volume and 2008 Supplement)

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

13 **Article – State Finance and Procurement**

14 14–301.

15 (i) (1) Subject to paragraphs (2) and (3) of this subsection, “socially and
16 economically disadvantaged individual” means a citizen or lawfully admitted
17 permanent resident of the United States who is:

18 (i) in any of the following minority groups:

19 1. African American – an individual having origins in
20 any of the black racial groups of Africa;

21 2. American Indian/Native American – an individual
22 having origins in any of the original peoples of North America and who is a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 documented member of a North American tribe, band, or otherwise has a special
2 relationship with the United States or a state through treaty, agreement, or some
3 other form of recognition. This includes an individual who claims to be an American
4 Indian/Native American and who is regarded as such by the American Indian/Native
5 American community of which the individual claims to be a part, but does not include
6 an individual of Eskimo or Aleutian origin;

7 3. Asian – an individual having origins in the Far East,
8 Southeast Asia, or the Indian subcontinent, and who is regarded as such by the
9 community of which the person claims to be a part;

10 4. Hispanic – an individual of Mexican, Puerto Rican,
11 Cuban, Central or South American, or other Spanish culture or origin, regardless of
12 race, and who is regarded as such by the community of which the person claims to be a
13 part;

14 5. physically or mentally disabled – an individual who
15 has an impairment that substantially limits one or more major life activity, who is
16 regarded generally by the community as having such a disability, and whose disability
17 has substantially limited his or her ability to engage in competitive business; or

18 6. women – a woman, regardless of race or ethnicity,
19 unless she is also a member of an ethnic or racial minority group and elects that
20 category in lieu of the gender category; or

21 (ii) otherwise found by the certification agency to be a socially
22 and economically disadvantaged individual.

23 (2) There is a rebuttable presumption that an individual who is a
24 member of a minority group under paragraph (1)(i) of this subsection is socially and
25 economically disadvantaged.

26 (3) An individual whose personal net worth exceeds [\$1,500,000]
27 **\$3,000,000** may not be found to be economically disadvantaged.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2009.