

SENATE BILL 616

P2, B5, P3

11r0633
CF 11r2024

By: **Senators Jones–Rodwell and Pugh**

Introduced and read first time: February 4, 2011

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Equal Opportunities Employment Act**

3 FOR the purpose of providing that, if a capital project receives more than a certain
4 amount in federal or State funds, the recipients of the funds and their
5 contractors and subcontractors shall award contracts to business concerns that
6 provide opportunities for certain low–income individuals; requiring the
7 Department of General Services to adopt certain regulations; stating the intent
8 of the General Assembly; defining certain terms; and generally relating to
9 requirements for recipients of certain State funds for certain capital projects.

10 BY adding to

11 Article – State Finance and Procurement

12 Section 3–610

13 Annotated Code of Maryland

14 (2009 Replacement Volume and 2010 Supplement)

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

17 **Article – State Finance and Procurement**

18 **3–610.**

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
20 MEANINGS INDICATED.

21 (2) “BUSINESS CONCERN THAT PROVIDES ECONOMIC
22 OPPORTUNITIES” MEANS A BUSINESS THAT:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) EMPLOYS A SUBSTANTIAL NUMBER OF LOW-INCOME**
2 **INDIVIDUALS OR VERY LOW-INCOME INDIVIDUALS; OR**

3 **(II) MEETS OTHER CRITERIA ESTABLISHED BY THE**
4 **DEPARTMENT OF GENERAL SERVICES.**

5 **(3) “LOW-INCOME INDIVIDUAL” MEANS AN INDIVIDUAL WHO**
6 **RECEIVES TEMPORARY CASH ASSISTANCE UNDER THE FAMILY INVESTMENT**
7 **PROGRAM UNDER TITLE 5, SUBTITLE 3 OF THE HUMAN SERVICES ARTICLE**
8 **WITHIN THE PREVIOUS 12 MONTHS.**

9 **(4) “VERY LOW-INCOME INDIVIDUAL” MEANS AN INDIVIDUAL**
10 **WHO HAS RECEIVED UNEMPLOYMENT INSURANCE BENEFITS DURING THE**
11 **PREVIOUS 12 MONTHS.**

12 **(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, TO THE**
13 **EXTENT PRACTICABLE, RECIPIENTS OF FEDERAL OR STATE FUNDS FOR**
14 **CAPITAL PROJECTS AND THEIR CONTRACTORS AND SUBCONTRACTORS SHALL**
15 **CONTRACT WITH BUSINESS CONCERNS THAT PROVIDE ECONOMIC**
16 **OPPORTUNITIES FOR LOW- AND VERY LOW-INCOME INDIVIDUALS WHEN**
17 **CONSTRUCTING CAPITAL PROJECTS.**

18 **(C) IF A CAPITAL PROJECT RECEIVES \$5,000,000 OR MORE IN FEDERAL**
19 **OR STATE FUNDS, THE RECIPIENTS OF THE FUNDS AND THEIR CONTRACTORS**
20 **AND SUBCONTRACTORS SHALL AWARD CONTRACTS FOR WORK TO BE**
21 **PERFORMED IN CONNECTION WITH THE CAPITAL PROJECT TO BUSINESS**
22 **CONCERNS THAT PROVIDE ECONOMIC OPPORTUNITIES FOR LOW- AND VERY**
23 **LOW-INCOME INDIVIDUALS IN AT LEAST 5% OF THE SKILLED AND UNSKILLED**
24 **POSITIONS ASSOCIATED WITH THE PROJECT.**

25 **(D) (1) THE DEPARTMENT OF GENERAL SERVICES SHALL ADOPT**
26 **REGULATIONS IN ACCORDANCE WITH TITLE 10, SUBTITLE 1 OF THE STATE**
27 **GOVERNMENT ARTICLE TO IMPLEMENT THIS SECTION.**

28 **(2) THE REGULATIONS SHALL ESTABLISH CRITERIA THAT A**
29 **BUSINESS CONCERN THAT PROVIDES ECONOMIC OPPORTUNITIES FOR**
30 **LOW- AND VERY LOW-INCOME INDIVIDUALS MUST MEET.**

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 July 1, 2011.