

# SENATE BILL 192

P2

2lr0100

(PRE-FILED)

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By: **Chair, Budget and Taxation Committee (By Request – Departmental – Transportation)**

Requested: September 30, 2021

Introduced and read first time: January 12, 2022

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Procurement – Minority Business Enterprise Program – Reauthorization**  
3 **Extension**

4 FOR the purpose of altering the termination date for certain provisions of law concerning  
5 the Minority Business Enterprise Program; altering the date by which the final  
6 report on a certain study is required to be submitted to the Legislative Policy  
7 Committee of the General Assembly; and generally relating to State procurement  
8 and the Minority Business Enterprise Program.

9 BY repealing and reenacting, with amendments,  
10 Article – State Finance and Procurement  
11 Section 14–309  
12 Annotated Code Maryland  
13 (2021 Replacement Volume)

14 BY repealing and reenacting, with amendments,  
15 Chapter 154 of the Acts of the General Assembly of 2012, as amended by Chapters  
16 200 and 201 of the Acts of the General Assembly of 2013 and Chapter 340  
17 of the Acts of the General Assembly of 2017  
18 Section 2

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

21 **Article – State Finance and Procurement**

22 14–309.

23 The provisions of §§ 14–301 through 14–305 of this subtitle, and any regulations

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 adopted under those sections, shall be of no effect and may not be enforced after July 1,  
2 **[2022] 2024**.

3 **Chapter 154 of the Acts of 2012, as amended by Chapters 200 and 201 of the Acts**  
4 **of 2013 and Chapter 340 of the Acts of 2017**

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Certification Agency, in  
6 consultation with the General Assembly and the Office of the Attorney General, shall  
7 initiate a study of the Minority Business Enterprise Program to evaluate the Program's  
8 continued compliance with the requirements of the Croson decision and any subsequent  
9 federal or constitutional requirements. In preparation for the study, the Board of Public  
10 Works may adopt regulations authorizing a unit of State government to require bidders  
11 and offerors to submit information necessary for the conduct of the study. The Board of  
12 Public Works may designate that certain information received in accordance with  
13 regulations adopted under this section shall be confidential. Notwithstanding that certain  
14 information may be designated by the Board of Public Works as confidential, the  
15 Certification Agency may provide the information to any person that is under contract with  
16 the Certification Agency to assist in conducting the study. The study shall also evaluate  
17 race-neutral programs and other methods that can be used to address the needs of minority  
18 businesses. The final report on the study shall be submitted to the Legislative Policy  
19 Committee of the General Assembly, in accordance with **[\S 2-1246] \S 2-1257** of the State  
20 Government Article, before September 30, **[2021] 2023**, so that the General Assembly may  
21 review the report before the **[2022] 2024** Session.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
23 1, 2022.