

Chapter 117

(Senate Bill 192)

AN ACT concerning

State Procurement – Minority Business Enterprise Program – Reauthorization Extension

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

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

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

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

Article – State Finance and Procurement

14–309.

The provisions of §§ 14–301 through 14–305 of this subtitle, and any regulations adopted under those sections, shall be of no effect and may not be enforced after July 1, [2022] **2024**.

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

SECTION 2. AND BE IT FURTHER ENACTED, That the Certification Agency, in consultation with the General Assembly and the Office of the Attorney General, shall initiate a study of the Minority Business Enterprise Program to evaluate the Program's continued compliance with the requirements of the Croson decision and any subsequent federal or constitutional requirements. In preparation for the study, the Board of Public Works may adopt regulations authorizing a unit of State government to require bidders

and offerors to submit information necessary for the conduct of the study. The Board of Public Works may designate that certain information received in accordance with regulations adopted under this section shall be confidential. Notwithstanding that certain information may be designated by the Board of Public Works as confidential, the Certification Agency may provide the information to any person that is under contract with the Certification Agency to assist in conducting the study. The study shall also evaluate race-neutral programs and other methods that can be used to address the needs of minority businesses. The final report on the study shall be submitted to the Legislative Policy Committee of the General Assembly, in accordance with [§ 2-1246] **§ 2-1257** of the State Government Article, before September 30, [2021] **2023**, so that the General Assembly may review the report before the [2022] **2024** Session.

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

Approved by the Governor, April 12, 2022.