

HOUSE BILL 816

P2

3lr2755
CF SB 510

By: Delegates Phillips, D. Barnes, Charles, Crutchfield, Embry, Jackson, A. Johnson, J. Long, McCaskill, Pasteur, Simmons, Simpson, Taveras, Taylor, Toles, and Wilkins Wilkins, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, R. Lewis, Lopez, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Szeliga, White, and Woods

Introduced and read first time: February 8, 2023
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 7, 2023

CHAPTER _____

1 AN ACT concerning

2 **Procurement – Minority Business Enterprises and Veteran-Owned Small**
3 **Business Enterprises – Participation Goal Scorecard**

4 FOR the purpose of requiring the Governor’s Office of Small, Minority, and Women
5 Business Affairs to develop a scorecard to evaluate units of State government on the
6 units’ performance toward meeting certain participation goals under the Minority
7 Business Enterprise Program and the Veteran-Owned Small Business Enterprise
8 Program; establishing a certain grading scale for the scorecard; requiring grades
9 achieved by each unit to be ~~included in the Office’s annual report~~ published each
10 year on the Office’s website; and generally relating to minority business enterprise
11 and veteran-owned small business enterprise procurement participation.

12 BY adding to
13 Article – State Government
14 Section 9–307
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2022 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – State Government

2 **9-307.**

3 (A) THE OFFICE SHALL DEVELOP A SCORECARD TO EVALUATE UNITS OF
4 STATE GOVERNMENT ON THE UNITS' PERFORMANCE TOWARD MEETING:

5 (1) THE MINORITY BUSINESS ENTERPRISE PARTICIPATION GOAL
6 ESTABLISHED UNDER § 14-302 OF THE STATE FINANCE AND PROCUREMENT
7 ARTICLE; AND

8 ~~(2) ANY MINORITY BUSINESS ENTERPRISE SUBGOALS ESTABLISHED~~
9 ~~UNDER § 14-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND~~

10 ~~(3) (2) THE VETERAN-OWNED SMALL BUSINESS ENTERPRISE GOAL~~
11 ~~ESTABLISHED UNDER § 14-602 OF THE STATE FINANCE AND PROCUREMENT~~
12 ~~ARTICLE.~~

13 (B) THE SCORECARD SHALL INCLUDE ~~THE FOLLOWING GRADING SCALE:~~

14 ~~(1) "A" GRADE FOR A UNIT THAT ACHIEVES 90% OR MORE OF THE~~
15 ~~APPLICABLE GOAL;~~

16 ~~(2) "B" GRADE FOR A UNIT THAT ACHIEVES BETWEEN 80% AND 89%~~
17 ~~OF THE APPLICABLE GOAL;~~

18 ~~(3) "C" GRADE FOR A UNIT THAT ACHIEVES BETWEEN 70% AND 79%~~
19 ~~OF THE APPLICABLE GOAL; AND~~

20 ~~(4) "FAILING" GRADE FOR A UNIT THAT ACHIEVES BELOW 70% OF~~
21 ~~THE APPLICABLE GOAL~~ A GRADING SCALE DEVELOPED BY THE OFFICE AS A
22 WEIGHTED SYSTEM THAT INCLUDES EACH UNIT'S CONTRIBUTION TOWARD MEETING
23 THE STATEWIDE:

24 (1) MINORITY BUSINESS ENTERPRISE PARTICIPATION GOAL; AND

25 (2) VETERAN-OWNED SMALL BUSINESS ENTERPRISE GOAL.

26 (C) (1) THE OFFICE SHALL ~~INCLUDE~~ PUBLISH THE GRADES ACHIEVED BY
27 EACH UNIT ~~UNDER THIS SECTION IN THE ANNUAL REPORT SUBMITTED UNDER §~~
28 ~~9-306 OF THIS SUBTITLE.~~ UNDER THIS SECTION EACH YEAR ON THE OFFICE'S
29 WEBSITE.

1 **(2) WITHIN 30 DAYS OF PUBLISHING INFORMATION ON ITS WEBSITE**
2 **IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE OFFICE SHALL**
3 **SUBMIT THE INFORMATION PUBLISHED ON ITS WEBSITE TO THE GENERAL**
4 **ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.