

**Department of Legislative Services**  
Maryland General Assembly  
2025 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 521 (Delegate Rosenberg)  
Health and Government Operations

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**State Procurement - Commercial Nondiscrimination Policy - Antisemitism**

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This bill adds a prohibition against antisemitism, as defined by the bill, to the State’s commercial nondiscrimination policy. Thus, bidders on State contracts must certify and affirm that they have not engaged in antisemitism when selecting potential subcontractors and suppliers, and entities participating in economic development projects funded or supported by the State must also comply with the expanded policy.

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**Fiscal Summary**

**State Effect:** None. This bill is clarifying in nature and does not affect governmental operations or finances.

**Local Effect:** The bill does not materially affect local government finances or operations.

**Small Business Effect:** Minimal.

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**Analysis**

**Bill Summary:** “Antisemitism” is defined as a certain perception of Jews, which may be expressed as hatred toward the Jews, including rhetorical and physical manifestations directed toward Jewish or non-Jewish individuals or their property, or Jewish community institutions and religious institutions.

**Current Law:** “Discrimination” means any disadvantage, difference, distinction, or preference in the solicitation, selection, hiring, or commercial treatment of a vendor, supplier, subcontractor, or commercial customer on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, gender identity, or

on the basis of disability or any otherwise unlawful use of characteristics regarding the vendor's, supplier's, or commercial customer's employees or owners. "Discrimination" does not include lawful efforts to remedy the effects of discrimination that have occurred or are occurring in the marketplace.

It is the policy of the State not to enter into a contract with any business entity that has discriminated in the solicitation, selection, hiring, or commercial treatment of vendors, suppliers, subcontractors, or commercial customers on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, gender identity, or on the basis of disability or any otherwise unlawful use of characteristics regarding the vendor's, supplier's, or commercial customer's employees or owners. It is also the intent of the State to prevent indirect involvement in private sector discrimination by refraining from procuring goods and services from businesses that engage in such practices and providing a procedure for receiving, investigating, and resolving complaints against business entities that have submitted a bid of proposal, or have been selected to engage in, or are engaged in, providing goods or services to the State.

As a condition of participating in an economic development project, the State requires any governmental entity, quasi-governmental entity, corporation, developer, or contractor that receives assistance from the State to comply with these policies in administering the economic development project and in awarding contracts to manage or perform the work entailed in the economic development project. Each contract and subcontract awarded in connection with an economic development project must contain a nondiscrimination clause, and any claim of discrimination related to the project must be subject to investigation and adjudication by the State.

All requests for bids or proposals issued for State contracts must include a certification that, in preparing its bid on a project, the bidder has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in discrimination.

**Additional Comments:** The bill's definition of antisemitism is the working definition of the International Holocaust Remembrance Alliance.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland State Treasurer's Office; Department of General Services; Board of Public Works; State Retirement Agency; Department of Legislative Services

**Fiscal Note History:** First Reader - February 13, 2025  
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