

**ANTONIO HAYES**  
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—  
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Executive Nominations Committee

—  
*Joint Committees*

Administrative, Executive, and  
Legislative Review

Unemployment Insurance Oversight

**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

Wednesday February 26, 2025

**Testimony in Support of SB 829 - State Procurement - Minority Business Enterprise  
Program - Extension and Reports**

Dear Guzzone and Members of the Budget and Tax Committee,

I am writing to express my strong support for Senate Bill 829, which seeks to extend the deadline for the submission of the 2021 Statewide Disparity Study and the Minority Business Enterprise (MBE) Program. The Disparity Study serves as a critical tool for assessing racial and gender disparities in state contracting, ensuring that Maryland's policies remain both legally sound and effective in promoting equitable economic opportunity.

Maryland's Disparity Study is required to meet the constitutional strict scrutiny standard established by the U.S. Supreme Court in *City of Richmond v. J.A. Croson Co.* This means that any state program using race-conscious classifications, like the MBE Program, must demonstrate both a compelling interest in remedying discrimination and that the measures used are narrowly tailored to address those disparities. The Disparity Study provides the evidentiary basis for these policies.

The current study, conducted by MGT of America Consulting, LLC, is broader in scope than any previous iteration, spanning seven fiscal years (FY15–FY21) and incorporating analyses of key industries, including Offshore Wind, Public-Private Partnerships, Gaming, Cannabis, and Capital

Grants. However, due to necessary delays—including a temporary pause to prioritize the adult-use cannabis market analysis—the study’s completion has been pushed to Fall 2025.

At present, 91% of the required subcontractor data has been collected, representing \$22.9 billion in state spending, but additional time is required to finalize the data collection and analysis. Without an extension, Maryland risks allowing the MBE Program to expire before the General Assembly has had the opportunity to review the study and make informed policy decisions.

This extension is essential to maintaining the integrity of Maryland’s commitment to economic equity. I urge you to support Senate Bill 829 to ensure that we have the necessary foundation to continue addressing disparities in state contracting.

Thank you for your consideration.

Respectfully,



Senator Antonio L. Hayes  
40<sup>th</sup> Legislative District – MD