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March 3, 2026

TO: The Honorable Melissa Wells
Chair, Government, Labor, and Elections Committee

FROM: Tiffany Clark
Director, Legislative Affairs, Office of the Attorney General

RE: House Bill 1578 – State Procurement - Procurement Preferences -
Reauthorization and Revisions (Support)

The Office of the Attorney General (OAG) supports HB 1578 - State Procurement – Procurement Preferences – Reauthorization and Revisions. HB 1578 extends the statutory authorization for Maryland's Minority Business Enterprise (MBE) Program through July 1, 2031, and makes operational improvements to strengthen program administration and reporting.

This legislation directly supports our efforts to ensure that Maryland's procurement processes remain fair, legally sound, and free from discrimination. The MBE Program plays a critical role in remedying documented, persistent disparities facing minority- and women-owned businesses in both public and private contracting. The General Assembly's own 2025 disparity study confirms that these disparities remain substantial, statistically significant, and consistent with ongoing discrimination, providing the evidentiary foundation necessary to sustain the program under federal constitutional standards.

The OAG has a direct role in the MBE Program's legal integrity and enforcement. We consult on participation goal-setting for offshore wind, public-private partnerships, sports wagering, and cannabis licensing; advise on compliance and debarment; and participate in disparity study analyses. Most recently, Attorney General Brown led a 22-state coalition to defend the federal Disadvantaged Business Enterprise Program against an effort by the Trump Administration to use a backdoor settlement to dismantle a similar minority business contracting program. The same federal threats that prompted that action make Maryland's affirmative reauthorization of the

MBE Program more important than ever. Without legislative action, key provisions of the MBE Program, including those governing offshore wind projects and video lottery terminals, would sunset on July 1, 2026.

We appreciate the General Assembly's work on this important policy and welcome the opportunity to share our perspective. For the foregoing reasons, the Office of the Attorney General respectfully urges the Committee to give HB 1578 a favorable report.