

HB0962/453021/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 962

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Woods**” and substitute “**Woods, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, R. Lewis, Lopez, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Szeliga, and Taveras**”; in line 2, strike “**and Minority**”; in the same line, after “**Program**” insert “**– Goals and Outreach Program**”; strike line 3 in its entirety; strike beginning with “altering” in line 4 down through “Program” in line 9 and substitute “altering a certain participation goal for certain small businesses for certain procurement contracts; requiring the certification agency, in consultation with the Governor’s Office of Small, Minority, and Women Business Affairs to develop a certain outreach program; altering the content of certain unit reports”; in line 10, strike “and Minority”; in line 13, strike “and (d)” and substitute “(c), (d), and (e)”; and after line 15, insert:

“BY repealing and reenacting, with amendments,

Article - State Finance and Procurement

Section 14–501, 14–502, and 14–505

Annotated Code of Maryland

(2021 Replacement Volume and 2023 Supplement)

BY adding to

Article - State Finance and Procurement

Section 14–504.1

Annotated Code of Maryland

(2021 Replacement Volume and 2023 Supplement)”.

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On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“(c) “Certification agency” means the agency designated by the Board of Public Works under § 14–303(b) of this subtitle to certify and decertify minority business enterprises.”;

strike line 11 in its entirety; after line 10, insert:

“(e) “Economically disadvantaged individual” means a socially disadvantaged individual whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially disadvantaged.”;

strike lines 14 and 15 in their entirety and substitute:

“(B) “CERTIFICATION AGENCY” HAS THE MEANING STATED IN § 14–301 OF THIS TITLE.

(C) “ECONOMICALLY DISADVANTAGED INDIVIDUAL” HAS THE MEANING STATED IN § 14–301 OF THIS TITLE.”;

in line 16, strike “(C)” and substitute “(D)”; and in lines 17 and 18, in each instance, strike the bracket.

On page 3, in line 27, strike “(D)” and substitute “(E)”; in the same line, strike “AND MINORITY”; and in lines 28 and 29, strike “OR CERTIFIED MINORITY BUSINESS ENTERPRISES”.

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On page 4, strike beginning with the colon in line 2 down through “15%” in line 3 and substitute “**20%**”; strike beginning with the semicolon in line 5 down through “**ENTERPRISES**” in line 9; in lines 12, 17, and 20 and 21, in each instance, strike “**AND MINORITY**”; and strike beginning with “payment” in line 13 down through “procurement” in line 14 and substitute “**ACHIEVEMENT AWARDS MADE TO A SMALL BUSINESS UNDER DESIGNATED SMALL BUSINESS RESERVE CONTRACTS AS WELL AS AWARDS MADE TO A SMALL BUSINESS UNDER NONDESIGNATED SMALL BUSINESS RESERVE CONTRACTS**”.

On pages 4 through 7, strike in their entirety the lines beginning with line 30 on page 4 through line 18 on page 7, inclusive, and substitute:

“14-504.1.

(A) THE CERTIFICATION AGENCY, IN CONSULTATION WITH THE GOVERNOR’S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS, SHALL DEVELOP AN OUTREACH PROGRAM TO INCREASE THE PARTICIPATION OF SMALL BUSINESSES THAT ARE OWNED BY ECONOMICALLY DISADVANTAGED INDIVIDUALS PARTICIPATING IN THE SMALL BUSINESS RESERVE PROGRAM.

(B) ON OR BEFORE DECEMBER 1 EACH YEAR, THE CERTIFICATION AGENCY SHALL SUBMIT TO THE BOARD OF PUBLIC WORKS AND, SUBJECT TO § 2-1257 OF THE STATE GOVERNMENT ARTICLE, TO THE LEGISLATIVE POLICY COMMITTEE A REPORT ON:

(1) THE STATUS OF THE OUTREACH PROGRAM REQUIRED UNDER SUBSECTION (A) OF THIS SECTION; AND

(Over)

(2) THE TOTAL NUMBER AND DOLLAR VALUE OF AWARDS MADE TO SMALL BUSINESSES OWNED BY ECONOMICALLY DISADVANTAGED INDIVIDUALS UNDER DESIGNATED SMALL BUSINESS RESERVE CONTRACTS.

14-505.

(a) Within 60 days after the enactment of the budget bill by the General Assembly, each unit shall submit a report to the Governor's Office of Small, Minority, and Women Business Affairs that complies with the reporting requirements set forth in COMAR 21.11.01.06.

(b) (1) Within 90 days after the end of each fiscal year, each unit shall submit a report to the Governor's Office of Small, Minority, and Women Business Affairs that complies with the requirements of paragraph (2) of this subsection.

(2) For the preceding fiscal year, the report shall:

(i) state the total number and the dollar value of [payments] AWARDS the unit made to small businesses under designated small business reserve contracts;

(ii) state the total number and the dollar value of [payments] AWARDS the unit made to small businesses under nondesignated small business reserve contracts, including purchase card procurements;

(iii) state the total dollar value of [payments] AWARDS the unit made under procurement contracts; and

(iv) contain other such information as required by the Governor's Office of Small, Minority, and Women Business Affairs.

(c) On or before December 31 of each year, the Governor's Office of Small, Minority, and Women Business Affairs shall submit to the Board of Public Works and, subject to § 2-1257 of the State Government Article, to the Legislative Policy Committee a report summarizing the information the Office receives under subsection (b) of this section."

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On pages 7 and 8, strike in their entirety the lines beginning with line 19 on page 7 through line 3 on page 8, inclusive.

On page 8, strike beginning with “July” in line 4 down through “effect” in line 7 and substitute “October 1, 2024”.