

HOUSE BILL 816

P2

(3lr2755)

ENROLLED BILL

— *Health and Government Operations/Budget and Taxation* —

Introduced 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**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

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

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.

Italics indicate opposite chamber/conference committee amendments.



1 year on the Office's website; and generally relating to minority business enterprise
2 and veteran-owned small business enterprise procurement participation.

3 BY adding to

4 Article – State Government

5 Section 9–307

6 Annotated Code of Maryland

7 (2021 Replacement Volume and 2022 Supplement)

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

10 **Article – State Government**

11 **9–307.**

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

14 (1) THE MINORITY BUSINESS ENTERPRISE PARTICIPATION GOAL
15 ESTABLISHED UNDER § 14–302 OF THE STATE FINANCE AND PROCUREMENT
16 ARTICLE; AND

17 ~~(2) ANY MINORITY BUSINESS ENTERPRISE SUBGOALS ESTABLISHED~~
18 ~~UNDER § 14–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND~~

19 ~~(3) (2)~~ THE VETERAN-OWNED SMALL BUSINESS ENTERPRISE GOAL
20 ESTABLISHED UNDER § 14–602 OF THE STATE FINANCE AND PROCUREMENT
21 ARTICLE.

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

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

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

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

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

1 **(1) MINORITY BUSINESS ENTERPRISE PARTICIPATION GOAL; AND**

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

3 **(c) (1) THE OFFICE SHALL ~~INCLUDE~~ PUBLISH THE GRADES ACHIEVED BY**
4 **EACH UNIT ~~UNDER THIS SECTION IN THE ANNUAL REPORT SUBMITTED UNDER §~~**
5 **9-306 OF THIS SUBTITLE. UNDER THIS SECTION EACH YEAR ON THE OFFICE'S**
6 **WEBSITE.**

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

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

Approved:

_____ Governor.

_____ Speaker of the House of Delegates.

_____ President of the Senate.