

Chapter 213

(House Bill 816)

AN ACT concerning

Procurement – Minority Business Enterprises and Veteran–Owned Small Business Enterprises – Participation Goal Scorecard

FOR the purpose of requiring the Governor’s Office of Small, Minority, and Women Business Affairs to develop a scorecard to evaluate units of State government on the units’ performance toward meeting certain participation goals under the Minority Business Enterprise Program and the Veteran–Owned Small Business Enterprise Program; establishing a certain grading scale for the scorecard; requiring grades achieved by each unit to be ~~included in the Office’s annual report~~ published each year on the Office’s website; and generally relating to minority business enterprise and veteran–owned small business enterprise procurement participation.

BY adding to

Article – State Government
Section 9–307
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

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

Article – State Government

9–307.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, April 24, 2023.