



## 2008 MBE LEGISLATIVE HIGHLIGHTS

<p><b>HB 312</b></p>	<p><b>Procurement - Security Requirements – Extension of Sunset Provision</b></p> <p>This bill extends for five years the State law that allows procurement officers to accept bid, performance, and payment bonds issued by individual sureties from bidders and offerors for State procurement contracts. Chapter 299 of 2006, which is scheduled to sunset September 30, 2009, also increased the maximum value of surety bonds that the Maryland Small Business Development Financing Authority may issue from \$1 million to \$5 million. The bill also clarifies the form required for affidavits of individual surety and requires the procurement advisor to the Board of Public Works to submit biennial, rather than annual, reports to the Governor and the General Assembly regarding the effectiveness of Chapter 299.</p>
<p><b>HB 527</b> <b>SB 686</b></p>	<p><b>Task Force to Study the Procurement of Health and Social Services by State Agencies</b></p> <p>This bill establishes a Task Force to Study the Procurement of Health and Social Services by State Agencies, staffed by the Department of Budget and Management and the Department of General Services. The task force must report its preliminary findings and recommendations by November 30, 2008 and its final findings and recommendations by November 30, 2009. The bill takes effect July 1, 2008 and terminates June 30, 2010.</p>
<p><b>HB 561</b> <b>SB 301</b></p>	<p><b>Procurement - Small Business Reserve Program - Eligibility Modifications</b></p> <p>This bill raises specified average annual gross sales thresholds for determining firms' eligibility for the Small Business Reserve Program, and includes a new threshold for architectural and engineering firms. It also adds the Maryland Transportation Authority and the Department of Information Technology to the list of agencies subject to the program. Finally, it requires the Department of General Services to submit a report to the General Assembly by October 1, 2011 regarding whether the bill has had an adverse effect on small businesses that previously qualified for SBR based on the criteria in effect under current law.</p>

<p><b>HB 628</b></p>	<p><b>Department of the Environment - Grants and Loans - Small, Minority, and Women's Business Enterprises</b></p> <p>This departmental bill requires recipients of grants and loans greater than \$500,000 from the Bay Restoration Fund, the Water Pollution Control Fund, and the Water Supply Facilities Financial Assistance Program administered by the Maryland Department of the Environment to take steps to include small, minority-owned, and women-owned businesses in the projects funded by those monies. It also makes technical changes to the statutory authorization of the Bay Restoration Fund.</p>
<p><b>HB 881</b> <b>SB 612</b></p>	<p><b>Procurement - Preference Procurement Program for Sheltered Workshops - Individual With Disability Owned Businesses</b></p> <p>This bill extends the State's purchasing preference for sheltered workshops to include "individual with disability-owned businesses," and makes technical changes to State procurement law to reflect this change. The bill takes effect July 1, 2008.</p>
<p><b>HB 1277</b> <b>SB 606</b></p>	<p><b>State Government - Brokerage and Investment Banking Services - Use of Certified Minority Business Enterprises</b></p> <p>This bill requires the State Treasurer, the Maryland Automobile Insurance Fund, the Injured Workers' Insurance Fund, and the State Retirement and Pension System to attempt to use minority business enterprises (MBE) to the greatest extent feasible to provide brokerage and investment management services. The four entities' use of MBEs must be consistent with MBE purchasing standards in current law and with their respective fiduciary responsibilities. The bill also requires the four entities to work with the Governor's Office of Minority Affairs (GOMA) to develop guidelines to implement the bill's provisions and to submit annual reports to GOMA and the General Assembly on their use of MBE brokerage and investment firms and their efforts to encourage greater use of MBE firms. Those efforts must include the use of a wide variety of media, including their web sites, to publicize the brokerage and investment management services they use.</p>
<p><b>HB 1431</b></p>	<p><b>Procurement - Small Business Preference Program - Veteran-Owned and Disabled Veteran-Owned Small Businesses</b></p> <p>This departmental bill adds a 2% price preference for veteran-owned small businesses and a 3% price preference for disabled veteran-owned small businesses to the existing price preference for all small businesses under the State's Small Business Preference Program. The bill also increases the maximum small business price preference for any procurement from 5% to 8%. The bill takes effect July 1, 2008.</p>

<b>SB 186</b>	<p><b>Department of General Services - Small Procurement Process</b></p> <p>This departmental bill includes construction procurements by the Department of General Services with a value of \$50,000 or less within the definition of small procurements. The bill takes effect July 1, 2008.</p>
<b>SB 847</b>	<p><b>Task Force on the Minority Business Enterprise Program and Equity Investment Capital</b></p> <p>This bill establishes a Task Force on the Minority Business Enterprise Program and Equity Investment Capital, jointly staffed by the Department of General Services (DGS) and the Maryland Department of Transportation (MDOT). Members of the commission are not entitled to compensation but may be reimbursed for their expenses. The task force must report its recommendations to the Governor and the General Assembly and develop draft legislation by December 1, 2009. The bill takes effect October 1, 2008 and terminates December 1, 2009.</p>