

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

Article 21 - Procurement

8-601.

(a) (1) In this subtitle the following words have the meanings indicated.

~~(2) "Department" means the University of Maryland, the Departments of General Services, and Transportation, the Maryland Food Authority, DEPARTMENT OF BUDGET AND FISCAL PLANNING, or the Interagency Committee on Public School Construction.~~

(2) "Department" means the University of Maryland, the Departments of General Services[, ] and Transportation, ~~the~~ the Maryland Food Authority, ~~or the~~ the Interagency Committee on Public School Construction, ~~THE STATE LOTTERY AGENCY, OR, FOR PROCUREMENTS SPECIFIED UNDER ARTICLE 15A, § 23B OF THE CODE, THE DEPARTMENT OF BUDGET AND FISCAL PLANNING.~~

(3) "Minority business enterprise" means any legal entity, other than a joint venture, organized to engage in commercial transactions which is at least 51 percent owned and controlled by one or more minority persons, or a nonprofit entity organized to promote the interests of the physically or mentally disabled.

(4) "Minority person" means a member of a socially or economically disadvantaged minority group, which for purposes of this subtitle includes Blacks (not of Hispanic origin), Hispanics, American Indians, Alaska natives, Asians, Pacific Islanders, women, and the physically or mentally disabled.

(5) "Certification" means the determination, through whatever procedure is used by a department, that a legal entity is a minority business enterprise for purposes of this subtitle.

(6) "Person" means an individual, association, sole proprietorship, partnership, or corporation.

(b) (1) Each department, except the Department of Transportation as to construction contracts, shall structure its procedures for procuring supplies, services, and construction to attempt to achieve, consistent with the [preamble to] PURPOSES OF this subtitle, the result that a minimum of 10 percent of the total dollar value of such procurements are made directly or indirectly from [business enterprises determined by the department to be] CERTIFIED minority business enterprises.

(2) The Department of Transportation shall structure its procedures for procuring construction to attempt to achieve,