

FOR the purpose of establishing a "Commercial Nondiscrimination Policy" under the State procurement law; specifying the purpose, intent, and scope of the policy; defining terms; specifying rules of construction; establishing a period of limitations during which a person must file a certain discrimination complaint; authorizing certain persons to file certain complaints alleging discrimination; specifying investigation procedures, duties, and responsibilities for handling complaints; providing an opportunity for hearings and the adjudication of complaints; specifying certain remedies and sanctions; providing for judicial review of certain decisions; specifying certain contract clauses relating to nondiscrimination; specifying certain disclosure requirements; ~~requiring the Attorney General to establish a certain expert pool~~; providing for the debarment of certain persons for certain violations of procurement law; providing for the application of this Act; and generally relating to the "Commercial Nondiscrimination Policy" under the State procurement law.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 16-203(a)

Annotated Code of Maryland

~~(2001 Replacement Volume and 2005 Supplement)~~ (2006 Replacement Volume)

BY adding to

Article – State Finance and Procurement

Section 19-101 through ~~19-121~~ 19-120, inclusive, to be under the new title
"Title 19. Commercial Nondiscrimination Policy"

Annotated Code of Maryland

~~(2001 Replacement Volume and 2005 Supplement)~~ (2006 Replacement Volume)

Preamble

WHEREAS, The purposes of this Act are:

(1) to establish a clear policy against discrimination in business on the basis of ~~sex, race, age, color, creed, or national origin~~, race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or any other form of unlawful discrimination;

(2) to establish a clear policy for the State not to enter into contracts with business entities that discriminate in the solicitation, selection, or commercial treatment of vendors, suppliers, subcontractors, or commercial customers; and

(3) to establish a formal complaint process and investigation process for alleged violations of this policy, providing due process for hearing evidence, rendering findings, and imposing sanctions for policy violations; and

WHEREAS, The General Assembly finds that in order to avoid becoming a passive participant in private sector commercial discrimination, and consistent with the requirements of the State procurement law, it is necessary to establish and firmly