

enforce 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; and

WHEREAS, Under this policy, it is the intent of the State that it not contract with business entities that discriminate in the solicitation, selection, hiring, or treatment of vendors, suppliers, subcontractors, or commercial customers in contravention of the standards specified under the State procurement law; and

WHEREAS, Such a commercial nondiscrimination policy approach has been favorably commented on by the United States Supreme Court in City of Richmond v. J. A. Croson, 488 U.S. 469, 509-510 (1989), and by other federal courts; and

WHEREAS, The General Assembly has further determined that it has a compelling interest in assuring that public funds do not serve to finance private prejudice 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; and

WHEREAS, It is in the best interests of the State to enhance competition on State projects by promoting equal opportunity and the full participation of all segments of the community in a marketplace environment that is free from the effects of discrimination, in that the State is likely to benefit from a discrimination-free marketplace through increased business activity, lower prices, and higher State revenues; and

WHEREAS, Through enactment of this Act, the State provides a formal mechanism for receiving, investigating, and resolving complaints of discrimination filed against businesses that have submitted a bid or proposal for, have been selected to engage in, or are engaged in providing goods or services to the State; and

WHEREAS, The State also gives fuller meaning and effect to the goals and objectives of this Act by including enforcement provisions that may subject violators of the Act to possible contract termination, disqualification from participation in State contracts and projects, or other remedial actions; now, therefore,

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

### **Article - State Finance and Procurement**

16-203.

(a) A person may be debarred from entering into a contract with the State if the person, an officer, partner, controlling stockholder or principal of that person, or any other person substantially involved in that person's contracting activities has:

(1) been convicted under the laws of the State, another state or the United States of: