

Legislative Policy Committee, summarizing the information submitted under SUBPARAGRAPH (I) OF this paragraph by procurement agencies.

(3) The Legislative Policy Committee shall direct at least 1 standing committee of the House of Delegates and 1 standing committee of the Senate of Maryland to review annually the performance of State agencies under this [subtitle] SECTION as reported in paragraphs (1) and (2) of this subsection.

(d) [A department may suspend the provisions of subsection (b) if it concludes they conflict with any applicable federal program requirement. Any such suspension shall be in writing and shall be included with the report required by subsection (c).] (I) THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION ARE INAPPLICABLE TO THE EXTENT ANY DEPARTMENT DETERMINES THAT THEY ARE IN CONFLICT WITH ANY APPLICABLE FEDERAL PROGRAM REQUIREMENT.

(II) THE DETERMINATION SHALL BE IN WRITING AND SHALL BE INCLUDED WITH THE REPORT REQUIRED UNDER SUBSECTION (C) OF THIS SECTION.

(e) (1) [A person may not] IT IS A VIOLATION OF THIS SECTION TO:

(i) [Fraudulently] FRAUDULENTLY obtain, retain, attempt to obtain or retain, or aid another in fraudulently obtaining or retaining or attempting to obtain or retain certification as a minority business enterprise for the purposes of this [subtitle] SECTION;

(ii) [Willfully] WILLFULLY make a false statement, whether by affidavit, report, or other representation, to a State official or employee for the purpose of influencing the certification or denial of certification of any entity as a minority business enterprise;

(iii) [Willfully] WILLFULLY obstruct, impede, or attempt to obstruct or impede any State official or employee who is investigating the qualifications of a business entity which has requested certification as a minority business enterprise; or

(iv) [Fraudulently] FRAUDULENTLY obtain, attempt to obtain, or aid another person in fraudulently obtaining or attempting to obtain, public moneys to which the person is not entitled under this subtitle.

(2) Any person who violates the provisions of this subsection is guilty of a felony and upon conviction is subject to imprisonment for a period of not more than 5 years, or a fine of not more than \$10,000, or both.

(3) (I) Any person convicted of having violated a provision of this subsection or who has admitted, in writing or under oath, during the course of an official investigation or