

[13-405.

(a) For the purpose of this section:

(1) a reference to the "State" or a "subdivision" shall include any bicounty or multicounty governmental agency located within the State; and

(2) the word "conviction" shall include an accepted plea of nolo contendere.

(b) Any person convicted under the provisions of Article 27 of the Annotated Code, of bribery, attempted bribery or conspiracy to bribe based upon acts committed after July 1, 1977 in furtherance of obtaining a contract with the State or any of its subdivisions, shall be disqualified from entering into a contract with the State, or any county or other subdivision of the State.

(c) A person not disqualified under the provisions of subsection (b) who (1) has been convicted under the provisions of Article 27 of the Annotated Code, of bribery, attempted bribery, or conspiracy to bribe, (2) during the course of an official investigation or other proceeding has admitted, in writing or under oath, acts or omissions which would constitute bribery, attempted bribery, or conspiracy to bribe under the provisions of that article, or (3) has been convicted under the laws of another state or the federal government of bribery, attempted bribery, or conspiracy to bribe, shall be subject to disqualification, pursuant to the procedure hereinunder established, from entering into a contract with the State, or any county or other subdivision of the State. However, a person is subject to disqualification only for those acts or omissions committed after July 1, 1977 which constitute or result in a conviction of bribery, attempted bribery, or conspiracy to bribe.

(d) Upon notification that a person subject to disqualification pursuant to subsection (c) has submitted a bid or otherwise applied for a contract with the State or any subdivision thereof, the Board or any other state or county contracting agency involved shall notify that person in writing of his possible disqualification and of his right to a hearing. A person receiving such notice shall be deemed to have waived his right to a hearing and shall be deemed disqualified unless, within 30 days of receipt of the notice, he submits to the Board a written request for a hearing.

(e) Within 90 days after receipt of a request for a hearing from a person notified pursuant to subsection (d) or from any person who believes he may be subject to disqualification, the Board or a hearing examiner appointed by the Board shall conduct a hearing and the Board shall determine whether the person should be disqualified. The time for hearing and determination may be extended by the Board for good cause shown. In making its determination the Board shall consider (1) all of the facts and