

16-310.

(a) If the conviction that is the basis for a debarment or suspension is reversed or otherwise rendered void, the debarment or suspension terminates automatically.

(b) (1) Any person debarred under § 16-202 of this title may, after a period of 5 years from the date of the debarment, petition the Board for removal of the debarment.

(2) Any person debarred under § 16-203 of this title may petition the Board for removal of the debarment, after the expiration of:

- (i) one-half of the period of debarment; or
- (ii) 5 years.

(c) (1) The Board shall consider all petitions received under subsection (b) of this section.

(2) Within 90 days after receiving a petition under subsection (b) of this section, the Board shall determine in its discretion whether to conduct a hearing regarding the petition. If the Board decides to conduct a hearing, it shall conduct the hearing in accordance with Title 10, Subtitle 2 of the State Government Article.

(3) The Board shall notify the person of its decision whether it will conduct a hearing regarding the petition.

(d) In making its determination whether the debarment should be removed, the Board shall conclude whether the integrity of the contracting process and the best interests of the State would be served by continuing the debarment. In making its determination, the Board shall consider relevant factors including those listed in § 16-306(a) of this subtitle.

(e) Upon making its determination, the Board shall give written notice to the petitioner that the debarment is removed or continued.

(f) The time for any hearing or determination by the Board under this section may be extended by the Board upon a showing of good cause.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

Approved May 26, 2004.

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