

BY adding to

Article - State Finance and Procurement

Section 7-314(q)

Annotated Code of Maryland

(2001 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 5-1411 of Article 83A - Business and Economic Development of the Annotated Code of Maryland be renumbered to be Section(s) 5-1412.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article 83A - Business and Economic Development**

5-1411.

(A) (1) THIS SECTION APPLIES TO FINANCIAL ASSISTANCE UNDER THIS SUBTITLE THAT EXCEEDS \$100,000.

(2) THIS SECTION DOES NOT APPLY TO FINANCIAL ASSISTANCE USED SOLELY FOR THE PURPOSE OF ACQUIRING REAL PROPERTY OR STRUCTURES ON REAL PROPERTY.

(B) WITH RESPECT TO FINANCIAL ASSISTANCE UNDER THIS SUBTITLE TO A LOCAL GOVERNMENT:

(1) IF THE LOCAL GOVERNMENT HAS A PROGRAM FOR PROMOTING PROCUREMENT OPPORTUNITIES AMONG MINORITY BUSINESSES THAT IS ACCEPTABLE TO THE DEPARTMENT, THE LOCAL GOVERNMENT SHALL APPLY THE REQUIREMENTS OF THAT PROGRAM TO THE PROCUREMENT OF GOODS OR SERVICES MADE WITH THE PROCEEDS FROM THE FINANCIAL ASSISTANCE; BUT

(2) IF THE LOCAL GOVERNMENT DOES NOT HAVE A PROGRAM THAT IS ACCEPTABLE TO THE DEPARTMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE LOCAL GOVERNMENT IS SUBJECT TO SUBSECTION (C) OF THIS SECTION.

(C) (1) IN THIS SUBSECTION, "MINORITY BUSINESS ENTERPRISE" MEANS:

~~(1) AN INDIVIDUAL WHO HAS A SOCIAL OR ECONOMIC IMPEDIMENT THAT:~~

~~1. IS BEYOND THE PERSONAL CONTROL OF THE INDIVIDUAL, SUCH AS FINANCIAL CAPACITY, GEOGRAPHICAL OR REGIONAL ECONOMIC DISTRESS, OR LACK OF FORMAL EDUCATION; AND~~

~~2. DOES NOT LIMIT THE ABILITY OF THE INDIVIDUAL TO PROVIDE THE REQUIRED GOODS OR SERVICES; OR~~