

Senate Bill No. 234

AN ACT concerning

Procurement - ~~Debarment - Causes - Causes for Debarment - Expansion~~
Debarment - Causes

FOR the purpose of authorizing the debarment of certain persons that are debarred under certain federal regulations; ~~authorizing the person debarred to petition the Board of Public Works for the removal of the debarment~~ *providing for the automatic termination of a certain debarment* under certain circumstances; and generally relating to debarment from State contracts.

BY repealing and reenacting, with amendments,

Article - State Finance and Procurement

Section 16-203 and 16-310(a) and (b)

Annotated Code of Maryland

(2001 Replacement Volume and 2004 Supplement)

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:

(i) a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract, except as provided in § 16-202; or

(ii) fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property;

(2) been convicted of a criminal violation of an antitrust statute of the State, another state, or the United States;

(3) been convicted of a violation of the Racketeer Influenced and Corrupt Organization Act, or the Mail Fraud Act, for acts in connection with the submission of bids or proposals for a public or private contract;

(4) been convicted of a violation of § 14-308 of this article;

(5) been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction under any of the laws or statutes described in paragraphs (1), (2), (3), or (4) of this subsection; or