

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Carter
Typed by: Rita
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Proofread by _____
Checked by _____

By: **Montgomery County Delegation and Prince George’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Local Small Business**
3 **Enterprise Program – Eligibility Criteria**

4 **MC/PG 105–07**

5 FOR the purpose of altering the eligibility criteria of the local small business
6 enterprise program of the Washington Suburban Sanitary Commission (WSSC);
7 and generally relating to the eligibility criteria of the WSSC local small
8 business enterprise program.

9 BY repealing and reenacting, with amendments,
10 Article 29 – Washington Suburban Sanitary District
11 Section 3–110
12 Annotated Code of Maryland
13 (2003 Replacement Volume and 2006 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 29 – Washington Suburban Sanitary District**

17 3–110.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



18 (a) By resolution or regulation, the WSSC may implement a local small
19 business enterprise program.

20 (b) The purpose of the program is to assist small businesses that are located
21 in Montgomery County and Prince George's County through the establishment of a
22 sheltered market or other appropriate preference or assistance involving the award of
23 construction contracts or the procurement of goods and services by the WSSC.

24 (c) The WSSC shall adopt:

25 (1) Eligibility criteria for businesses to qualify for the local small
26 business enterprise program, including:

27 [(i) A net worth not exceeding \$250,000 under WSSC guidelines;

28 (ii) An average net income after federal income taxes for the
29 preceding 2 years, excluding any carryover losses, not exceeding \$100,000;]

30 **(I) THE CRITERIA FOR A SMALL BUSINESS QUALIFYING**
31 **UNDER THE STATE SMALL BUSINESS PREFERENCE PROGRAM AS ESTABLISHED**
32 **IN REGULATIONS ADOPTED BY THE DEPARTMENT OF GENERAL SERVICES**
33 **UNDER § 14-203 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;**

34 [(iii)] **(II)** A principal place of business or significant
35 employment presence in Montgomery County or Prince George's County; and

36 [(iv)] **(III)** Any other eligibility criteria that the WSSC
37 determines to be necessary or otherwise appropriate for the promotion of local small
38 businesses in its service area; and

39 (2) Administrative procedures for conducting the program.

40 (d) A business enterprise may qualify as a local small business for purposes
41 of the program without regard to the race, ethnicity, or gender of the participants in
42 the business enterprise.

43 (e) The WSSC shall establish graduation criteria from the program for local
44 small businesses that the WSSC determines no longer require the assistance or
45 benefits offered by the program.

46 (f) The WSSC shall review the eligibility criteria and administrative
47 procedures of the program each year to assess their effectiveness in furthering the
48 purposes of the program.

49 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
50 July 1, 2007.