

SB0318/527079/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 318
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “loan” insert “guarantee”; in line 11, after “Program” insert “and certain limitations”; in line 16, after “Authority;” insert “requiring that certain reports include a certain evaluation; requiring that the Authority submit certain reports to certain committees of the General Assembly; providing for the effective date of certain provisions of this Act;”; and after line 22, insert:

“BY repealing and reenacting, with amendments,

Article 83A – Department of Business and Economic Development

Section 5–1035(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 2, in line 11, strike “part of the loan to be guaranteed” and substitute “**MAXIMUM AMOUNT PAYABLE BY THE AUTHORITY UNDER ITS GUARANTEE**”.

On page 4, in line 7, strike “\$1,350,000” and substitute “**\$5,000,000**”; in line 11, strike “**COMMERCIAL ENTERPRISE**” and substitute “**PRIVATE ENTITY**”; in lines 15 and 16, strike “**COMMERCIAL ENTERPRISE**” and substitute “**PRIVATE ENTITY**”; in line 20, strike “or”; and in the same line, after the second “business,” insert “**OR BY ANY OTHER TYPE OF BUSINESS,**”.

On page 5, in lines 4, 7, 9, 11, 16, and 20, in each instance, strike “**50**” and substitute “**49**”.

(Over)

On page 6, in line 18, after “[an” insert “[THE”; in the same line, after “enterprise” insert “OR ITS PRINCIPALS”; in the same line, strike “have” and substitute “MEET”; strike beginning with the colon in line 19 down through the first “and” in line 24; in line 24, strike “, totaling at least \$75,000” and substitute “EQUAL TO AT LEAST 5 PERCENT OF THE TOTAL COST OF THE ACQUISITION”; and in line 25, strike “[THE”.

On page 8, after line 10, insert:

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

Article 83A – Department of Business and Economic Development

5–1035.

(a) Subject to the restrictions of this Part VI, the Authority, on application, may guarantee any surety up to the lesser of 90 percent or [\$5,000,000] \$1,350,000 of its losses incurred under a bid bond, a payment bond, or a performance bond on any contract financed by the federal government or a state government, a local government, a private entity, or a utility regulated by the Public Service Commission.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 4 of Chapter 299 of the Acts of the General Assembly of 2006. This Act may not be interpreted to have any effect on that termination provision.”.

AMENDMENT NO. 3

On page 8, before line 11, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Maryland Small Business Development Financing Authority shall:

(1) include in the annual reports required to be made by December 31, 2007, and December 31, 2008, under Article 83A, § 5–1011 of the Code an evaluation of the impact of the changes enacted by Section 1 of this Act in the levels of assistance the Authority may provide, on:

(i) the number and amounts of loans and guarantees made by the Authority during the periods covered by the reports; and

(ii) the ability of the Authority to adequately assist eligible businesses under each financing program administered by the Authority; and

(2) provide the annual reports to the Senate Finance Committee and the House Economic Matters Committee.”;

in line 11, strike “2.” and substitute “5.”; in the same line, after “That” insert “, subject to the provisions of Section 3 of this Act.”.