



Montgomery County

Office of Intergovernmental Relations

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HB 783

DATE: March 29, 2023

SPONSOR: Montgomery County Delegation and Prince George's County Delegation

ASSIGNED TO: Budget and Taxation

CONTACT PERSON: Kathleen Boucher (kathleen.boucher@montgomerycountymd.gov)

POSITION: Support

**Washington Suburban Sanitary Commission –
Minority Business Enterprise Utilization Program – Revisions and Extension
MC/PG 101-23**

This bill was requested by the Washington Suburban Sanitary Commission (WSSC) to update and strengthen State law governing WSSC's Minority Business Enterprise Utilization Program (MBE program). Authorization for the MBE program is based on a disparity study conducted every five years. The disparity study determines the utilization and availability of minority and women owned firms within WSSC's market area for construction, architectural and engineering, goods and services, and professional services. The study determines whether disparities exist and provides the factual predicate necessary to meet the legal requirements for the continuation of the MBE program. The latest disparity study was released in November 2022 and covers fiscal years 2015 through 2019.

Key provisions of the bill: (1) extend WSSC's authorization to establish an MBE procurement preference program until July 1, 2028 (currently set to sunset on July 1, 2023); (2) eliminate the distinction between MBE programs established by WSSC for construction and goods/services; (3) establish the legal justification for WSSC to operate an MBE program based on specified findings by the General Assembly; (4) streamline and clarify certification requirements for MBEs participating in the WSSC program; and (5) include additional clarifying and technical changes to the WSSC MBE program authorization.

Montgomery County supports this bill and respectfully requests that the Budget and Taxation Committee give the bill a favorable report.