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

Introduced and read first time: February 9, 2001
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Local Small**
3 **Business Enterprise Program**
4 **MC/PG 102-01**

5 FOR the purpose of authorizing the Maryland-National Capital Park and Planning
6 Commission to adopt a local small business enterprise program for certain
7 purposes; establishing certain eligibility criteria for the program; requiring the
8 Commission to adopt certain criteria and procedures for the program; requiring
9 the Commission to review certain criteria and procedures each year; and
10 generally relating to the Maryland-National Capital Park and Planning
11 Commission and the local small business enterprise program.

12 BY adding to
13 Article 28 - Maryland-National Capital Park and Planning Commission
14 Section 2-123
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 2000 Supplement)

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

19 **Article 28 - Maryland-National Capital Park and Planning Commission**
20 2-123.

21 (A) BY RESOLUTION OR REGULATION, THE COMMISSION MAY IMPLEMENT A
22 LOCAL SMALL BUSINESS ENTERPRISE PROGRAM.

23 (B) THE PURPOSE OF THE PROGRAM IS TO ASSIST SMALL BUSINESSES THAT
24 ARE LOCATED IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY THROUGH
25 THE ESTABLISHMENT OF A SHELTERED MARKET OR OTHER APPROPRIATE
26 PREFERENCE OR ASSISTANCE INVOLVING THE AWARD OF CONSTRUCTION
27 CONTRACTS OR THE PROCUREMENT OF GOODS AND SERVICES BY THE COMMISSION.

1 (C) THE COMMISSION SHALL ADOPT:

2 (1) ELIGIBILITY CRITERIA FOR BUSINESSES TO QUALIFY FOR THE
3 LOCAL SMALL BUSINESS ENTERPRISE PROGRAM, INCLUDING:

4 (I) A NET WORTH NOT EXCEEDING \$250,000 UNDER COMMISSION
5 GUIDELINES;

6 (II) AN AVERAGE NET INCOME AFTER FEDERAL INCOME TAXES
7 FOR THE PRECEDING 2 YEARS, EXCLUDING ANY CARRYOVER LOSSES, NOT
8 EXCEEDING \$100,000;

9 (III) A PRINCIPAL PLACE OF BUSINESS OR SIGNIFICANT
10 EMPLOYMENT PRESENCE IN MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY;
11 AND

12 (IV) ANY OTHER ELIGIBILITY CRITERIA THAT THE COMMISSION
13 DETERMINES TO BE NECESSARY OR OTHERWISE APPROPRIATE FOR THE PROMOTION
14 OF LOCAL SMALL BUSINESSES IN ITS SERVICE AREA; AND

15 (2) ADMINISTRATIVE PROCEDURES FOR CONDUCTING THE PROGRAM.

16 (D) A BUSINESS ENTERPRISE MAY QUALIFY AS A LOCAL SMALL BUSINESS FOR
17 PURPOSES OF THE PROGRAM WITHOUT REGARD TO THE RACE, ETHNICITY, OR
18 GENDER OF THE PARTICIPANTS IN THE BUSINESS ENTERPRISE.

19 (E) THE COMMISSION SHALL ESTABLISH GRADUATION CRITERIA FROM THE
20 PROGRAM FOR LOCAL SMALL BUSINESSES THAT THE COMMISSION DETERMINES NO
21 LONGER REQUIRE THE ASSISTANCE OR BENEFITS OFFERED BY THE PROGRAM.

22 (F) THE COMMISSION SHALL REVIEW THE ELIGIBILITY CRITERIA AND
23 ADMINISTRATIVE PROCEDURES OF THE PROGRAM EACH YEAR TO ASSESS THEIR
24 EFFECTIVENESS IN FURTHERING THE PURPOSES OF THE PROGRAM.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2001.