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

Introduced and read first time: February 10, 2006

Assigned to: Health and Government Operations

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A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Local Small Business**  
3 **Enterprise Program - Eligibility Criteria**  
4 **PG/MC 105-06**

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 business  
8 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 2005 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.

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 in  
21 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:

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

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

4 (I) THE CRITERIA FOR A SMALL BUSINESS QUALIFYING UNDER  
5 THE STATE SMALL BUSINESS PREFERENCE PROGRAM AS ESTABLISHED IN  
6 REGULATIONS ADOPTED BY THE DEPARTMENT OF GENERAL SERVICES UNDER §  
7 14-203 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

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

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

13 (2) Administrative procedures for conducting the program.

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

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

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2006.