

CHAPTER 622

(House Bill 692)

AN ACT concerning

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

MC/PG 105–07

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

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

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

Article 29 – Washington Suburban Sanitary District

3–110.

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

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

(c) The WSSC shall adopt:

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

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

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

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

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

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

(2) Administrative procedures for conducting the program.

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

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

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

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

Approved by the Governor, May 17, 2007.