

HB0114/624161/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 114
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “establishing the Purple Line Construction Zone Grant Program; establishing the purpose of the Grant Program; requiring the Department of Commerce to implement and administer the Grant Program; requiring the Department of Commerce, in consultation with the Department of Transportation, to adopt certain regulations; requiring the Department of Commerce and the Maryland Transit Administration to consult qualified small businesses for a certain purpose; requiring the Department of Commerce to make a certain application available as soon as practicable; establishing a maximum amount for a certain grant awarded; authorizing the Department of Commerce to award grants until a certain time; prohibiting the Department of Commerce from awarding more than one grant to the same business in a certain period of time; requiring that certain funds revert to the Maryland Economic Development Assistance Fund; requiring the Administration to report certain information in the Consolidated Transportation Program;”; in line 5, strike “Maryland Transit”; in line 16, strike “a”; in the same line, strike “term” and substitute “terms”; and after line 17, insert:

“BY adding to

Article – Economic Development

Section 16-101 to be under the new title “Title 16. Purple Line Construction
Zone Grant Program”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 20, after “Section” insert “2-103.1(c)(4)(vi) and (vii).”; in the same line, after “7–205” insert a comma; and after line 22, insert:

(Over)

“BY adding to
Article - Transportation
Section 2-103.1(c)(4)(vii)
Annotated Code of Maryland
(2020 Replacement Volume)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“Article – Economic Development

TITLE 16. PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

16-101.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “GRANT PROGRAM” MEANS THE PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(3) “QUALIFIED SMALL BUSINESS” MEANS A SOLE PROPRIETORSHIP, A PARTNERSHIP, A LIMITED PARTNERSHIP, A LIMITED LIABILITY PARTNERSHIP, A LIMITED LIABILITY COMPANY, OR A CORPORATION THAT:

(I) EMPLOYS 20 OR FEWER EMPLOYEES;

(II) IS INDEPENDENTLY OWNED AND OPERATED;

(III) IS NOT A SUBSIDIARY OF ANOTHER BUSINESS;

(IV) IS NOT DOMINANT IN ITS FIELD OF OPERATION; AND

(V) IS IMPACTED BY THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY.

(B) (1) THERE IS A PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(2) THE PURPOSE OF THE GRANT PROGRAM IS TO PROVIDE FUNDS TO QUALIFIED SMALL BUSINESSES TO ASSIST IN OFFSETTING BUSINESS REVENUE LOST AS A RESULT OF THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY.

(3) IN EACH OF FISCAL YEARS 2023 AND 2024, THE MARYLAND TRANSIT ADMINISTRATION SHALL PROVIDE \$1,000,000 IN GENERAL FUNDS TO THE GRANT PROGRAM TO ASSIST QUALIFIED SMALL BUSINESSES.

(C) THE DEPARTMENT OF COMMERCE SHALL IMPLEMENT AND ADMINISTER THE GRANT PROGRAM.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION, INCLUDING REGULATIONS TO ESTABLISH:

(Over)

(I) ELIGIBILITY AND GRANT APPLICATION REQUIREMENTS;

AND

(II) A PROCESS FOR REVIEWING GRANT APPLICATIONS AND
AWARDING GRANTS TO ELIGIBLE QUALIFIED SMALL BUSINESSES.

(2) IN DEVELOPING THE REGULATIONS REQUIRED UNDER
PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE AND
THE MARYLAND TRANSIT ADMINISTRATION SHALL CONSULT QUALIFIED SMALL
BUSINESSES TO ENSURE THAT THE ELIGIBILITY AND APPLICATION
REQUIREMENTS FOR THE GRANT PROGRAM ARE NOT OVERLY BURDENSOME TO
QUALIFIED SMALL BUSINESSES.

(3) THE DEPARTMENT OF COMMERCE SHALL MAKE THE
APPLICATION DEVELOPED FOR PURPOSES OF THE GRANT PROGRAM AVAILABLE
TO QUALIFIED SMALL BUSINESSES AS SOON AS PRACTICABLE.

(E) (1) (I) SUBJECT TO THE LIMITATIONS OF THIS PARAGRAPH,
THE DEPARTMENT OF COMMERCE SHALL ESTABLISH, BY REGULATION,
GUIDELINES TO CALCULATE THE AMOUNT OF A GRANT AWARDED UNDER THIS
SECTION.

(II) IN ESTABLISHING GUIDELINES UNDER SUBPARAGRAPH
(I) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY USE A 12-
MONTH PROJECTION OF THE DIFFERENCE BETWEEN THE BUSINESS REVENUE OF
A QUALIFIED SMALL BUSINESS DURING THE 3-MONTH PERIOD IMMEDIATELY
PRECEDING THE START OF THE PURPLE LINE CONSTRUCTION COMPARED TO
THE 3-MONTH PERIOD IMMEDIATELY FOLLOWING THE START OF THE PURPLE
LINE CONSTRUCTION.

(III) A GRANT AWARDED UNDER THE GRANT PROGRAM MAY NOT EXCEED \$50,000.

(2) SUBJECT TO THE ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION, IF A QUALIFIED SMALL BUSINESS IS REQUIRED TO BE REGISTERED WITH THE STATE AND IS REGISTERED, THE QUALIFIED SMALL BUSINESS MAY APPLY FOR A GRANT UNDER THE GRANT PROGRAM REGARDLESS OF OWNERSHIP OR LOCATION.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY AWARD GRANTS UNTIL ALL THE MONEY ALLOTTED FOR THE GRANT PROGRAM HAS BEEN AWARDED OR UNTIL DECEMBER 31, 2024, WHICHEVER OCCURS FIRST.

(II) THE DEPARTMENT OF COMMERCE MAY NOT AWARD MORE THAN ONE GRANT TO THE SAME QUALIFIED SMALL BUSINESS IN A 12-MONTH PERIOD.

(4) ANY MONEY THAT HAS NOT BEEN AWARDED ON OR BEFORE DECEMBER 31, 2024, SHALL REVERT TO THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND.”;

after line 9, insert:

“2-103.1.

(c) (4) Annually, the Consolidated Transportation Program shall include a report that:

(vi) Provides a purpose and need summary statement that includes:

(Over)

1. A general description and summary that describes why the project is necessary and satisfies State transportation goals, including Climate Action Plan goals required by the Greenhouse Gas Emissions Reduction Act of 2009 under § 2-1205(b) of the Environment Article;

2. The location of the project, including a map of the project limits, project area, or transportation corridor; and

3. A summary of how the project meets the selection criteria for inclusion in the capital program; [and]

(VII) PROVIDES THE MARYLAND TRANSIT ADMINISTRATION STATE OF GOOD REPAIR BUDGET FOR THE CURRENT FISCAL YEAR AND PROJECTIONS FOR THE SUBSEQUENT FISCAL YEAR; AND

[(vii)] (VIII) Includes any other information that the Secretary believes would be useful to the members of the General Assembly, the general public, or other recipients of the Consolidated Transportation Program.”;

and in line 23, strike “2028” and substitute “2029”.

On page 4, in line 3, strike “\$361,880,000” and substitute “\$402,037,183”; in line 4, strike “\$414,893,000” and substitute “\$502,081,501”; in line 5, strike “\$453,839,000” and substitute “\$450,000,000”; in line 6, strike “\$566,573,000” and substitute “\$450,000,000”; in line 7, strike “\$566,573,000” and substitute “\$450,000,000”; in the same line, strike “AND”; and in line 8, strike “\$531,573,000.” and substitute “\$450,000,000; AND”

(VII) FOR FISCAL YEAR 2029, AT LEAST \$318,558,000.”