

SB0191/813128/1

BY: Ways and Means Committee

AMENDMENTS TO SENATE BILL 191
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Transparency and Efficiency in**”; in line 3, strike “**Act**” and substitute “**Requirements and Purple Line Construction Zone Grant Program – Alterations**”; in line 11, after “Department;” insert “altering the purpose of the Purple Line Construction Zone Grant Program; requiring the Department of Commerce to distribute certain funds under the Grant Program in a certain manner; requiring a county that receives funds under the Program to implement a process for awarding grants to certain small businesses;”; in lines 16 and 17, strike “and 6–809” and substitute “6–809, and 16–102”; and in line 22, strike “and 6–802” and substitute “6–802, and 16–101”.

AMENDMENT NO. 2

On page 5, in line 1, after “includes” insert “, AS APPLICABLE”; in lines 1 and 24, in each instance, strike the bracket; strike beginning with the second comma in line 5 down through “and” in line 6 and substitute “FOR”; strike in their entirety lines 8 through 11, inclusive; in lines 12, 14, and 19, strike “B.”, “C.”, and “(iv)”, respectively, and substitute “(III)”, “(IV)”, and “(VI)”, respectively; in lines 13 and 15, in each instance, strike “and”; strike in their entirety lines 16 through 18, inclusive, and substitute:

“(V) THE AMOUNT OF CAPITAL INVESTMENT MADE OR PROJECT COSTS INCURRED BY EACH RECIPIENT; AND”;

and strike beginning with “DATA” in line 25 down through “SECTION” in line 27.

On page 10, after line 7, insert:

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“16–101.

(a) In this title the following words have the meanings indicated.

(b) “Grant Program” means the Purple Line Construction Zone Grant Program.

(c) “Qualified small business” means a sole proprietorship, a partnership, a limited partnership, a limited liability partnership, a limited liability company, or a corporation that:

(1) employs 20 or fewer employees;

(2) is independently owned and operated;

(3) is not a subsidiary of another business;

(4) is not dominant in its field of operation; and

(5) is impacted by the construction of the Purple Line light rail project in Montgomery County and Prince George’s County.

16–102.

(a) (1) There is a Purple Line Construction Zone Grant Program.

(2) The purpose of the Grant Program is to provide funds to MONTGOMERY COUNTY AND PRINCE GEORGE’S COUNTY TO PROVIDE ASSISTANCE 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] THOSE COUNTIES.

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(3) In each of fiscal years 2023 and 2024, the Department of Commerce shall provide \$1,000,000 in general funds to the Grant Program to assist qualified small businesses.

(b) (1) The Department of Commerce shall implement [and administer] the Grant Program.

(2) THE DEPARTMENT SHALL DISTRIBUTE FUNDS PROVIDED FOR THE GRANT PROGRAM BASED ON THE NUMBER OF QUALIFIED SMALL BUSINESSES LOCATED IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY.

[(c) (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:

(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.]

(Over)

(C) A COUNTY THAT RECEIVES FUNDS UNDER THIS SECTION SHALL IMPLEMENT A PROCESS FOR AWARDING GRANTS TO ELIGIBLE QUALIFIED SMALL BUSINESSES.

[(d) (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)] (D) (1) [(i) Subject to subparagraph (ii) of this paragraph, the] THE Department of Commerce MAY DISTRIBUTE FUNDING IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION AND A COUNTY may award grants until all the money allotted for the Grant Program has been DISTRIBUTED OR 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.]

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[(4)] (2) Any money that has not been **DISTRIBUTED OR** awarded on or before December 31, 2024, shall revert to the Maryland Economic Development Assistance Fund.