



Montgomery County

Office of Intergovernmental Relations

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HB 399

DATE: February 8, 2022

SPONSOR: Prince George's County Delegation and Montgomery County Delegation

ASSIGNED TO: Health and Government Operations

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POSITION: Support

Washington Suburban Sanitary Commission – Minority Business Enterprise Utilization Program – Termination Extension PG/MC 105-22

State law requires the Washington Suburban Sanitary Commission (WSSC) to establish a minority business enterprise (MBE) utilization program to facilitate the participation of responsible certified minority business enterprises in contracts awarded by the Commission for goods and services, if the Commission determines that: (1) minority business enterprises are underrepresented in the award of contracts due to the effects of past discrimination; and (2) a program is necessary to remedy the effects of this past discrimination. Historically, statutory authorization for the MBE program sunsets every five years in order to provide an opportunity to review the underlying factual predicate. Likewise, the Commission typically conducts a disparity study every five years to determine utilization and availability of minority and women owned businesses within WSSC's market area. After the last disparity study was completed in 2015, the General Assembly extended the program for five years from July 1, 2017 to July 1, 2022.

WSSC requested House Bill 399 to allow for a one-year extension of the MBE program, to July 1, 2023, to provide more time to complete the 2020 disparity study. WSSC advised County staff that the COVID-19 pandemic made it harder to collect data from businesses that are needed to complete the study.

Montgomery County supports the bill and respectfully request that the Health and Government Operations Committee give the bill a favorable report.