

(a) (1) By resolution or regulation, the WSSC may implement a local small business enterprise program.

(2) **THE OFFICE OF SMALL, LOCAL, AND MINORITY BUSINESS ENTERPRISE, ESTABLISHED UNDER § 3-109(B)(2) OF THIS SUBTITLE, SHALL ADMINISTER THE LOCAL SMALL BUSINESS ENTERPRISE PROGRAM ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

(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;

(iii) A principal place of business **IN MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY** or A significant [employment] **EMPLOYEE** presence **IN MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY WITH NO LESS THAN ~~20%~~ 25% OF THE BUSINESS'S TOTAL NUMBER OF EMPLOYEES BEING DOMICILED** in Montgomery County or Prince George's County; and

(iv) 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.