(b) "Authority" means the Maryland Small Business Development Financing Authority.

(C) "CONTRACT TERM" MEANS THE TERM OF THE GOVERNMENT CONTRACT INCLUDING THE MAINTENANCE OR WARRANTY PERIOD OF UP TO 2 YEARS FROM THE DATE ON WHICH FINAL PAYMENT UNDER THE CONTRACT IS DUE.

[(c)] (D) "Fund" means the Small Business Surety Bond Guaranty Fund.

[(d)] (E) "Principal" means a small business entity that has assets, income or employees that do not exceed limits established by the Authority pursuant to regulation or administrative determination.

[(e)] (F) "Program" means the Small Business Surety Bond Guaranty Program created by Part VI of this subtitle.

13-234.3.

(a) Subject to the restrictions of this Part VI, the Authority, on application, may guarantee any surety up to 90 percent of [any] ITS losses incurred [as a result of a principal's breach of a bid bond, a payment bond, or a performance bond on any government contract of not more than $1,000,000 in face value] UNDER A BID BOND, A PAYMENT BOND, OR A PERFORMANCE BOND OF NOT MORE THAN $1,000,000 FOR EACH BOND ON ANY GOVERNMENT CONTRACT.

(b) The term of a guaranty under this Part VI may not exceed the CONTRACT term [of the contract].

(c) The Authority may vary the terms and conditions of the guaranty from surety to surety, based upon the Authority's history of experience with that surety and upon any other factor that the Authority considers relevant.

(D) (1) THE AUTHORITY MAY NOT APPROVE A GUARANTEE UNDER THIS PART VI UNLESS THE AUTHORITY CONSIDERS THE ECONOMIC IMPACT OF THE CONTRACT, FOR WHICH A BOND IS SOUGHT TO BE GUARANTEED, TO BE SUBSTANTIAL.

(2) TO DETERMINE THE ECONOMIC IMPACT OF A CONTRACT, THE AUTHORITY MAY CONSIDER:

(I) THE AMOUNT OF THE GUARANTEE OBLIGATION;

(II) THE TERMS OF THE BOND TO BE GUARANTEED;

(III) THE NUMBER OF NEW JOBS THAT WILL BE CREATED BY THE CONTRACT TO BE BONDED; AND