

**NONMINORITY BUSINESS CONFLICTS WITH THE OWNERSHIP AND CONTROL REQUIREMENTS OF THIS SECTION.**

(5) (I) THE WSSC MAY CONDUCT ANY IMPARTIAL FACT-FINDING STUDY IN CONNECTION WITH A MINORITY BUSINESS ENTERPRISE PROGRAM FOR CONSISTENCY WITH APPLICABLE LAW.

(II) THE WSSC SHALL REPORT THE FINDINGS OF ANY REVIEW COMPLETED UNDER THIS PARAGRAPH TO THE MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY DELEGATIONS TO THE MARYLAND GENERAL ASSEMBLY.

(6) . BY SEPTEMBER 15 OF EACH YEAR, THE WSSC SHALL ISSUE A REPORT CONCERNING THE IMPLEMENTATION AND ADMINISTRATION OF THE MINORITY BUSINESS ENTERPRISE PROGRAM FOR THE FISCAL YEAR ENDING ON THE PRECEDING JUNE 30, AND APPROPRIATE RECOMMENDATIONS CONCERNING THE PROGRAM, TO THE MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY SENATE AND HOUSE DELEGATIONS TO THE MARYLAND GENERAL ASSEMBLY.

(7) THE PROVISIONS OF THIS SUBSECTION SHALL BE NULL AND VOID AND MAY NOT BE ENFORCED AFTER JULY 1, 2012.

**3-109.**

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

(2) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE OF SMALL, LOCAL, AND MINORITY BUSINESS ENTERPRISE ESTABLISHED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(3) "MINORITY BUSINESS ENTERPRISE" MEANS ANY LEGAL ENTITY THAT IS ORGANIZED TO ENGAGE IN COMMERCIAL TRANSACTIONS AND AT LEAST 51% OWNED AND CONTROLLED BY ONE OR MORE INDIVIDUALS WHO ARE MEMBERS OF A GROUP THAT IS:

(I) DISADVANTAGED SOCIALLY OR ECONOMICALLY BY THE EFFECTS OF PAST DISCRIMINATION, INCLUDING DISCRIMINATION AS TO CERTIFICATION; AND

(II) IDENTIFIED BY A STUDY CONDUCTED IN ACCORDANCE WITH THIS SECTION OR A SIMILAR STUDY PREVIOUSLY CONDUCTED.