

(2003 Replacement Volume and 2006 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article 29 - Washington Suburban Sanitary District**

3-110.

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

(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;]

**(I) THE CRITERIA FOR A SMALL BUSINESS QUALIFYING UNDER THE STATE SMALL BUSINESS PREFERENCE PROGRAM AS ESTABLISHED IN REGULATIONS ADOPTED BY THE DEPARTMENT OF GENERAL SERVICES UNDER § 14-203 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;**

[(iii) (II) A principal place of business or significant employment presence in Montgomery County or Prince George's County; and

[(iv) (III) 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.