

**CHAPTER 189**

**(House Bill 901)**

AN ACT concerning

**Washington Suburban Sanitary Commission – Minority Business Contracts**

**PG/MC 10-92**

FOR the purpose of requiring the Washington Suburban Sanitary Commission to establish a minority business enterprise program, by regulation, for the award of certain contracts under certain conditions; setting forth certain requirements for the minority business enterprise program; authorizing the WSSC to conduct a certain study; requiring the WSSC to issue a certain report by a certain date; providing certain penalties; providing for the termination of this Act; providing for the severability of this Act; defining certain terms; and generally relating to the establishment of a minority business enterprise program by the WSSC.

BY adding to

Article 29 – Washington Suburban Sanitary District

Section 3-109 and 18-104(d-1)

Annotated Code of Maryland

(1990 Replacement Volume and 1991 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**

3-109.

(A) IN THIS SECTION, “MINORITY BUSINESS ENTERPRISE” MEANS ANY LEGAL ENTITY THAT IS ORGANIZED TO ENGAGE IN COMMERCIAL TRANSACTIONS AND AT LEAST 51 PERCENT OWNED AND CONTROLLED BY 1 OR MORE INDIVIDUALS WHO ARE MEMBERS OF A GROUP THAT IS:

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

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

(B) BY RESOLUTION AND IMPLEMENTING RULES AND REGULATIONS, THE WSSC SHALL ESTABLISH A MINORITY BUSINESS UTILIZATION PROGRAM TO FACILITATE THE PARTICIPATION OF RESPONSIBLE CERTIFIED MINORITY BUSINESS ENTERPRISES IN CONTRACTS AWARDED BY THE WSSC FOR GOODS AND SERVICES NOT COVERED BY § 3-102 OF THIS ARTICLE IF: