

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before October 1, 2011, the Department of General Services shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on whether this Act has negatively impacted small businesses with:

(1) wholesale operations that did not employ more than 50 persons, and gross sales that did not exceed an average of \$2,000,000 in their most recently completed 3 fiscal years;

(2) retail operations that did not employ more than 25 persons, and gross sales that did not exceed an average of \$2,000,000 in their most recently completed 3 fiscal years; and

(3) service operations that did not employ more than 100 persons, and gross sales that did not exceed an average of \$2,000,000 in their most recently completed 3 fiscal years.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2008, contingent on the taking effect of Chapter 9 (S.B. 212/H.B. 362) of the Acts of the General Assembly of 2008, and if Chapter 9 does not become effective, Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION ~~2~~ 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of this Act, this Act shall take effect October 1, 2008.

Approved by the Governor, May 13, 2008.

CHAPTER 390

(Senate Bill 313)

AN ACT concerning

Real Property – Construction Contracts – Retention Proceeds

FOR the purpose of providing that certain retention proceeds may not exceed a certain percentage of certain contracts or certain payments under certain circumstances; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain owners reasonably determine that the performance of certain contractors provides reasonable grounds for withholding