

HOUSE BILL 1230

L5

(6lr1161)

ENROLLED BILL

— *Environment and Transportation/Education, Energy, and the Environment* —

Introduced by **Prince George’s County Delegation and Montgomery County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o’clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Procurement – Alterations**

3 **PG/MC 102-26**

4 FOR the purpose of repealing the name of the Washington Suburban Sanitary Commission
5 Office of Supplier Diversity and Inclusion; ~~authorizing~~ requiring the Commission to
6 name the Office; altering the purpose and duties of the Office; altering the local small
7 business enterprise program to ~~include local or small businesses or certain other~~
8 ~~businesses~~ be the business participation program and limiting participation in the
9 program to certain businesses; requiring the Commission to adopt certain additional
10 eligibility criteria for participation in the program; authorizing the Commission to
11 accept as a registered vendor any ~~person~~ business that is registered as a vendor with
12 another jurisdiction or has self-certified as a vendor in a certain manner; authorizing
13 the Commission to adopt certain regulations to promote workforce engagement and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 local economic benefits; and generally relating to procurement by the Washington
2 Suburban Sanitary Commission.

3 BY repealing and reenacting, with amendments,
4 Article – Public Utilities
5 Section 20–201, 20–203, and 20–301 through 20–304
6 Annotated Code of Maryland
7 (2025 Replacement Volume and 2025 Supplement)

8 BY adding to
9 Article – Public Utilities
10 Section 20–401 to be under the new subtitle “Subtitle 4. ~~Vendor Registration~~”
11 Workforce and Local Economic Benefits”
12 Annotated Code of Maryland
13 (2025 Replacement Volume and 2025 Supplement)

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

16 Article – Public Utilities

17 20–201.

18 (a) In this subtitle the following words have the meanings indicated.

19 (b) “Minority business enterprise” has the meaning stated in § 14–301 of the State
20 Finance and Procurement Article.

21 (c) “Office” means the Office [of Supplier Diversity and Inclusion] established
22 under § 20–203 of this subtitle.

23 20–203.

24 (a) There is an Office [of Supplier Diversity and Inclusion in the Commission]
25 **ESTABLISHED WITHIN THE COMMISSION THAT SHALL BE RESPONSIBLE FOR:**

26 ~~(1) ADMINISTERING EACH OF THE BUSINESS PARTICIPATION AND~~
27 ~~VENDOR DEVELOPMENT PROGRAMS FOR COMMISSION CONTRACTS AND~~
28 ~~SUBCONTRACTS; AND~~

29 ~~(2) MONITORING COMPLIANCE WITH PARTICIPATION~~
30 ~~REQUIREMENTS FOR THE PROGRAMS ESTABLISHED~~ ADMINISTERING PROGRAMS
31 ESTABLISHED UNDER THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.

32 (b) THE COMMISSION SHALL ADOPT REGULATIONS ESTABLISHING THE
33 NAME OF THE OFFICE.

1 (C) The [head of the Office is the] **OFFICE SHALL BE HEADED BY A Director** [of
2 Supplier Diversity and Inclusion].

3 ~~(e) THE COMMISSION MAY PROVIDE A NAME FOR THE OFFICE~~
4 ~~ESTABLISHED UNDER THIS SECTION.~~

5 (D) The Office shall:

6 (1) administer each Commission program that is created to remedy
7 discrimination against minority business enterprises and promote the participation of local
8 ~~OR small business enterprises OR OTHER BUSINESS ENTERPRISES THAT SUPPORT THE~~
9 ~~ECONOMIC OUTCOMES OF~~ SMALL BUSINESSES THAT DO BUSINESS WITH THE
10 **COMMISSION**, including:

11 (i) the minority business enterprise utilization program under §
12 20–204 of this subtitle; and

13 (ii) the [local small] business ~~enterprise~~ PARTICIPATION program
14 **ESTABLISHED** under Subtitle 3 of this title;

15 (2) promote and coordinate the plans, programs, and operations of the
16 Commission to remedy discrimination against minority business enterprises and the effects
17 of discrimination;

18 (3) promote activities and the use of the resources of the Commission, local
19 governments, and private entities to remedy discrimination against minority business
20 enterprises and the effects of discrimination; ~~[and]~~

21 (4) ensure compliance with certified minority business enterprise
22 subcontract participation goals under § 20–206 of this subtitle; ~~AND~~

23 ~~(5) PROMOTE, ENCOURAGE, AND SUPPORT INCREASED BUSINESS~~
24 ~~PARTICIPATION AND ECONOMIC OUTCOMES IN COMMISSION CONTRACTS AND~~
25 ~~SUBCONTRACTS.~~

26 20–301.

27 ~~In this subtitle, “program” means a local, small, OR OTHER business enterprise~~
28 ~~program.~~

29 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
30 INDICATED.

1 **(B) “DISABLED VETERAN-OWNED BUSINESS” MEANS A BUSINESS THAT IS**
 2 **AT LEAST 51% OWNED AND CONTROLLED BY ONE OR MORE INDIVIDUALS CERTIFIED**
 3 **BY THE U.S. DEPARTMENT OF VETERANS AFFAIRS AS HAVING A**
 4 **SERVICE-CONNECTED DISABILITY REGARDLESS OF THE DISABILITY RATING.**

5 **(C) “LOCAL BUSINESS” MEANS A BUSINESS WITH:**

6 **(1) A PRINCIPAL PLACE OF BUSINESS IN MONTGOMERY COUNTY OR**
 7 **PRINCE GEORGE’S COUNTY; OR**

8 **(2) AT LEAST 25% OF THE EMPLOYEES OF THE BUSINESS DOMICILED**
 9 **IN MONTGOMERY COUNTY OR PRINCE GEORGE’S COUNTY.**

10 **(D) “LOCAL SMALL BUSINESS” MEANS A BUSINESS THAT QUALIFIES AS**
 11 **BOTH:**

12 **(1) A LOCAL BUSINESS; AND**

13 **(2) A SMALL BUSINESS.**

14 **(E) “MARYLAND-BASED BUSINESS” MEANS A BUSINESS THAT HAS ITS**
 15 **PRINCIPAL PLACE OF BUSINESS IN THE STATE.**

16 **(F) “PROGRAM” MEANS THE BUSINESS PARTICIPATION PROGRAM**
 17 **ESTABLISHED UNDER § 20-302 OF THIS SUBTITLE.**

18 **(G) “SMALL BUSINESS” MEANS A BUSINESS THAT MEETS CRITERIA**
 19 **ESTABLISHED BY REGULATIONS ADOPTED IN ACCORDANCE WITH § 14-203 OF THE**
 20 **STATE FINANCE AND PROCUREMENT ARTICLE.**

21 **(H) “VETERAN-OWNED BUSINESS” MEANS A BUSINESS THAT IS AT LEAST**
 22 **51% OWNED AND CONTROLLED BY ONE OR MORE INDIVIDUALS WHO ARE VETERANS**
 23 **AS DEFINED IN 38 U.S.C. § 101.**

24 20-302.

25 (a) By resolution or adopting regulations, the Commission may establish a ~~local,~~
 26 ~~small, OR OTHER business enterprise program~~ **BUSINESS PARTICIPATION PROGRAM IN**
 27 **ACCORDANCE WITH THIS SUBTITLE.**

28 (b) The Office [of Supplier Diversity and Inclusion,] established ~~under~~ **IN**
 29 **ACCORDANCE WITH** § 20-203 of this title[,] shall administer the program.

30 20-303.

1 The purpose of the program is to assist ~~[small] LOCAL~~ businesses in Montgomery
 2 County and Prince George's County, ~~SMALL BUSINESSES, OR OTHER BUSINESSES THAT~~
 3 ~~FURTHER THE COMMISSION'S CONTRACTING, SUBCONTRACTING, AND ECONOMIC~~
 4 ~~OBJECTIVES~~ BUSINESSES ELIGIBLE TO PARTICIPATE IN THE PROGRAM, WITH
 5 PREFERENCE BEING GIVEN TO LOCAL SMALL BUSINESSES AND LOCAL BUSINESSES,
 6 by:

7 (1) establishing a sheltered market or other appropriate preference; or

8 (2) facilitating the award of Commission construction contracts or
 9 procurement contracts for goods and services to ~~[small]~~:

10 ~~(I) LOCAL businesses in Montgomery County and Prince George's~~
 11 ~~County;~~

12 ~~(II) SMALL BUSINESSES; OR~~

13 ~~(III) OTHER BUSINESSES THAT FURTHER THE COMMISSION'S~~
 14 ~~CONTRACTING, SUBCONTRACTING, AND ECONOMIC OBJECTIVES~~ ELIGIBLE
 15 BUSINESSES.

16 20-304.

17 (a) ~~The Commission shall adopt:~~

18 ~~(1) [eligibility criteria for businesses to qualify for the program, including:~~

19 ~~(i) the criteria for a small business qualifying under the Small~~
 20 ~~Business Preference Program as established in regulations adopted by the Department of~~
 21 ~~General Services under § 14-203 of the State Finance and Procurement Article;~~

22 ~~(ii) a requirement that:~~

23 ~~1. the business's principal place of business be in~~
 24 ~~Montgomery County or Prince George's County; or~~

25 ~~2. at least 25% of the total number of employees of the~~
 26 ~~business be domiciled in Montgomery County or Prince George's County; and~~

27 ~~(iii) any other] eligibility criteria that the Commission determines to~~
 28 ~~be necessary or appropriate for the promotion of [small] businesses in the Commission's~~
 29 ~~service area, SMALL BUSINESSES, OR OTHER BUSINESSES THAT FURTHER THE~~
 30 ~~COMMISSION'S CONTRACTING, SUBCONTRACTING, AND ECONOMIC OBJECTIVES~~
 31 THE FOLLOWING BUSINESSES ARE ELIGIBLE TO PARTICIPATE IN THE PROGRAM:

1 **(1) A LOCAL BUSINESS;**

2 **(2) A SMALL BUSINESS;**

3 **(3) A LOCAL SMALL BUSINESS;**

4 **(4) A MARYLAND-BASED BUSINESS;**

5 **(5) A DISABLED VETERAN-OWNED BUSINESS THAT IS:**

6 **(I) A LOCAL BUSINESS;**

7 **(II) A SMALL BUSINESS;**

8 **(III) A LOCAL SMALL BUSINESS; OR**

9 **(IV) A MARYLAND-BASED BUSINESS; AND**

10 **(6) A VETERAN-OWNED BUSINESS THAT IS:**

11 **(I) A LOCAL BUSINESS;**

12 **(II) A SMALL BUSINESS;**

13 **(III) A LOCAL SMALL BUSINESS; OR**

14 **(IV) A MARYLAND-BASED BUSINESS.**

15 **(B) THE COMMISSION SHALL ADOPT:**

16 **(1) ANY OTHER ELIGIBILITY CRITERIA THE COMMISSION**
 17 **DETERMINES TO BE NECESSARY OR APPROPRIATE FOR THE PROMOTION OF THE**
 18 **BUSINESSES SPECIFIED UNDER SUBSECTION (A) OF THIS SECTION;** and

19 (2) administrative procedures for conducting the program.

20 ~~(b)~~ **(C) A AN ELIGIBLE** business may qualify ~~as a local OR small business~~
 21 ~~enterprise under~~ **TO PARTICIPATE IN** the program without regard to the race, ethnicity,
 22 or gender of the participants in the business.

23 ~~(e)~~ **(D)** The Commission shall establish criteria for graduation from the
 24 program for ~~a~~ **AN ELIGIBLE** [local small] business that the Commission determines no
 25 longer requires the assistance or benefits offered by the program.

1 ~~(d)~~ **(E)** The Commission shall review the eligibility criteria and administrative
2 procedures of the program each year to assess their effectiveness in furthering the purposes
3 of the program.

4 **(F)** THE COMMISSION MAY ACCEPT AS A REGISTERED VENDOR ELIGIBLE TO
5 PARTICIPATE IN THE PROGRAM ANY BUSINESS THAT:

6 **(1)** IS A REGISTERED VENDOR THROUGH A VENDOR REGISTRATION
7 PROCESS IN ANOTHER JURISDICTION; OR

8 **(2)** SELF-CERTIFIES AS A VENDOR IN ACCORDANCE WITH
9 REGULATIONS ADOPTED BY THE COMMISSION.

10 **(G)** NOTHING IN THIS SECTION MAY BE CONSTRUED TO REQUIRE A
11 SOLICITATION ISSUED BY THE COMMISSION TO INCLUDE EVERY CATEGORY OF
12 ELIGIBLE BUSINESS.

13 ~~SUBTITLE 4. VENDOR REGISTRATION.~~

14 ~~20-401.~~

15 ~~(A)~~ ~~THE COMMISSION MAY ACCEPT AS A REGISTERED VENDOR FOR THE~~
16 ~~COMMISSION ANY PERSON THAT:~~

17 ~~(1)~~ ~~IS REGISTERED AS A VENDOR THROUGH A VENDOR REGISTRATION~~
18 ~~PROCESS IN ANOTHER JURISDICTION; OR~~

19 ~~(2)~~ ~~SELF-CERTIFIES AS A VENDOR IN ACCORDANCE WITH~~
20 ~~REGULATIONS ADOPTED BY THE COMMISSION.~~

21 ~~(B)~~ ~~THE COMMISSION MAY ADOPT REGULATIONS TO CARRY OUT THIS~~
22 ~~SECTION.~~

23 SUBTITLE 4. WORKFORCE AND LOCAL ECONOMIC BENEFITS.

24 20-401.

25 THE COMMISSION MAY ADOPT REGULATIONS TO PROMOTE IN THE
26 COMMISSION'S CONTRACTS WORKFORCE ENGAGEMENT AND LOCAL ECONOMIC
27 BENEFITS WITHIN THE COMMISSION'S SERVICE DISTRICT, INCLUDING
28 ESTABLISHING DEFINITIONS AND STANDARDS FOR CONTRACTOR GOOD FAITH
29 EFFORTS REGARDING:

30 **(1)** LOCAL HIRING AND RECRUITMENT;

1 **(2) SKILLS TRAINING, PRE-APPRENTICESHIP, AND APPRENTICESHIP**
2 **PARTICIPATION OR SUPPORT; AND**

3 **(3) DATA REPORTING ON WORKFORCE RESIDENCY OR LOCAL**
4 **ECONOMIC ACTIVITY.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be
6 interpreted to amend, expand, limit, or otherwise affect the Minority Business Enterprise
7 Program of the Washington Suburban Sanitary Commission.

8 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.