

Bill No. 6-12
Concerning: Economic Development –
Small Business Assistance
Revised: April 11, 2012 Draft No. 6
Introduced: February 7, 2012
Enacted: April 17, 2012
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council Vice President Navarro, Councilmembers Ervin, Floreen, Leventhal, Council President
Berliner and Councilmember Riemer

AN ACT to:

- (1) establish a program to assist certain small businesses located in the County who are adversely impacted by a County redevelopment project or a redevelopment project located on County property;
- (2) provide technical assistance and training to a small business who receives financial assistance from the Economic Development Fund;
- (3) authorize financial assistance to certain small businesses from the Economic Development Fund; and
- (4) generally amend the economic development laws.

By adding

Montgomery County Code
Chapter 20. Finance
Section 20-76B

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Sections 20-76B is added as follows:**

2 **20-76B. Small Business Assistance Program.**

3 (a) Definitions. As used in this Section:

4 Adverse impact means a loss of revenue resulting from a redevelopment
 5 project.

6 Director means the Director of the Department of Economic
 7 Development.

8 Enterprise zone means an area designated under Maryland Code,
 9 Economic Development Article, Section 5-704 or any successor
 10 provision.

11 Fund means the Economic Development Fund established in Section
 12 20-73.

13 Program means the Small Business Assistance Program.

14 Redevelopment project means any construction, alteration, or
 15 improvement in an urban renewal area or enterprise zone where the
 16 existing land use is commercial or industrial and is:

17 (1) located on property owned by the County; or

18 (2) financed in whole or part by the County.

19 Small business means a privately owned business that meets the
 20 requirements of Section 11B-65(a).

21 Technical assistance means training directly related to operating a small
 22 business provided by an educational institution or a non-profit
 23 organization approved by the Director.

24 Urban renewal area means an area of the County as defined in Section
 25 56-9(f).

26 (b) Establishment of Program. Subject to appropriation, the Director must
 27 create and administer a Small Business Assistance Program to assist

28 small businesses who are adversely impacted by a redevelopment
 29 project.

30 (c) Eligibility. The Director, based upon information submitted by the
 31 applicant for assistance, must find that:

32 (1) the applicant is the owner of an existing small business located
 33 near an ongoing or future redevelopment project that is planned
 34 to begin construction in less than [[24]] 12 months after the
 35 application;

36 (2) the applicant's small business is currently or is likely to be
 37 adversely impacted by the redevelopment project; and

38 (3) the applicant's small business is financially healthy and likely to
 39 continue operating for the foreseeable future.

40 (d) Conditions. The Director may impose reasonable conditions on a small
 41 business, including the successful completion of approved technical
 42 assistance training, in order to receive financial assistance from the
 43 Fund under the Program.

44 (e) Financial assistance. The Director may award a grant or loan from the
 45 Fund to an eligible small business under the Program. [[A loan or grant
 46 to a small business that exceeds \$100,000 cumulatively must be
 47 approved by the Council.]]

48 (f) Regulations. The Executive must adopt method 2 regulations to
 49 implement this Section. The regulations must:

50 (1) require the Director to compile and maintain a list of approved
 51 technical training courses on the appropriate website;

52 (2) specify the application procedures and eligibility criteria for a
 53 grant or loan to a small business under the Program;

54 (3) specify conditions that the Director may impose on a small
55 business in order to receive financial assistance from the Fund
56 under the Program;

57 (4) define what constitutes an adverse impact on a small business;

58 (5) define what constitutes financial health of a small business; and

59 (6) identify outreach methods and marketing strategies to inform
60 local small businesses of the program.

61 (g) Reports. On or before March 31 of each year, the Executive must report
62 to the Council on the activities of the Program. The report must
63 include:

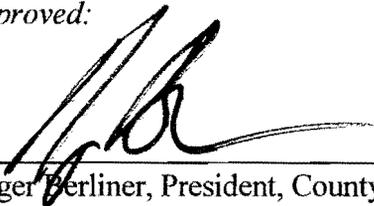
64 (1) the number of small businesses participating in the Program;

65 (2) the number and dollar amount of grants and loans made; and

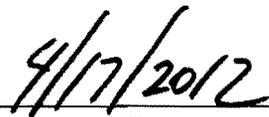
66 (3) an evaluation of the impact of each grant or loan on the operation
67 of the small business.

68

69 *Approved:*



Roger Berliner, President, County Council



Date

71 *Approved:*

72

Isiah Leggett, County Executive

Date

73 *This is a correct copy of Council action.*

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Linda M. Lauer, Clerk of the Council

Date