

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: April 26, 2012  
Effective: July 26, 2012  
Sunset Date: None  
Ch. 6, Laws of Mont. Co. 2012

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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

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**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

<b>Boldface</b>	<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.

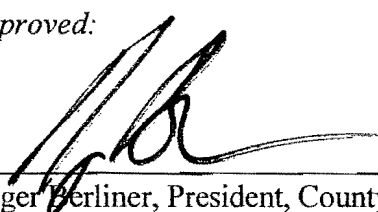
61 (g) Reports. On or before March 31 of each year, the Executive must report  
62 to the Council on the activities of the Program. The report must  
63 include:

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.

69 *Approved:*

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\_\_\_\_\_  
Roger Berliner, President, County Council

4/17/2012

\_\_\_\_\_  
Date

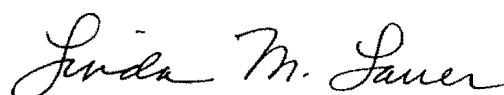
71 *Approved:*

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\_\_\_\_\_  
Isiah Leggett, County Executive

April 26, 2012

\_\_\_\_\_  
Date

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

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\_\_\_\_\_  
Linda M. Lauer, Clerk of the Council

4/27/12

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Date