

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2014 Legislative Session

Bill No. CB-19-2014

Chapter No. 18

Proposed and Presented by Council Member Franklin

Introduced by Council Members Franklin, Toles, Harrison, Turner, Davis and Patterson

Co-Sponsors _____

Date of Introduction May 13, 2014

BILL

1 AN ACT concerning

2 County-based Business Certification

3 For the purpose of facilitating the registration of County-based businesses as certified
4 enterprises.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 10A. PURCHASING.

7 Section 10A-163,

8 The Prince George's County Code

9 (2011 Edition; 2013 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that Section 10A-163 of the Prince George's County Code be and the same is hereby
12 repealed and reenacted with the following amendments:

13 **SUBTITLE 10A. PURCHASING.**

14 **DIVISION 7. ECONOMIC DEVELOPMENT.**

15 **Sec. 10A-163. County based business certification requirements.**

16 (a) Except as provided for in paragraph (7) of this subsection, [A] a business that seeks to
17 be certified as a County-based business shall make application to the Purchasing Agent on a
18 form provided by the Purchasing Agent. Such an application shall not be approved by the
19 Purchasing Agent unless the business:

1 (1) Requires that its chief executive officer and the highest level managerial
 2 employees of the business maintain their offices and perform their managerial functions in the
 3 County;

4 (2) Files a written certificate that the business is not delinquent in the payment of any
 5 County taxes, charges, fees, rents or claims;

6 (3) Files a tax return filed with the State of Maryland establishing that the business
 7 has operated within the County within the preceding twelve (12) months;

8 (4) Files documentation showing that during the preceding twelve (12) months the
 9 business has continuously maintained a valid business license or permit;

10 (5) Files documentation showing that during the preceding twelve (12) months the
 11 business has continuously occupied an office within the County, as its principal place of
 12 operation; and

13 (6) Files documentation showing that:

14 (i) More than fifty percent (50%) of the business' full-time employees are
 15 County residents; or

16 (ii) The owners of more than fifty percent (50%) of the business are County
 17 residents; or

18 (iii) More than (fifty percent) 50% of the assets of the business, excluding bank
 19 accounts, are located in the County; or

20 (iv) More than (fifty percent) 50% of the total sales or other revenues of the
 21 business are derived from transactions of the business in the County.

22 (7) A business that is certified as a minority business enterprise (MBE) pursuant to
 23 Section 10A-101(a)(26) whose certification indicates that the business's principal address,
 24 principal place of operation, or domicile is within Prince George's County, MD, shall be
 25 automatically deemed to be a certified County-based business under this subsection without
 26 further application or certification, provided that, if requested by the Purchasing Agent at the
 27 time of a bid or proposal solicitation, the business provides in its bid or proposal a copy of (i)
 28 documentation of its existing MBE certification , (ii) a tax return filed with the State of Maryland
 29 establishing that the business has operated within the County within the preceding twelve (12)
 30 months, and (iii) a certificate of good standing from the Maryland Department of Assessments
 31 and Taxation.

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SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 17th day of June, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.