

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2023 Legislative Session

Bill No. CB-096-2023

Chapter No. 80

Proposed and Presented by Council Member Oriadha

Introduced by Council Members Oriadha, Dernoga, Blegay, Hawkins, Franklin and Olson

Co-Sponsors _____

Date of Introduction October 17, 2023

BILL

1 AN ACT concerning

2 Local Business Childcare Grant Program

3 For the purpose of providing a program to incentivize local businesses to provide financial support
4 to working families by offsetting the costs associated childcare by offering County grants to
5 participating local businesses.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 10A. PURCHASING.

8 Section 10A-160 through 10A-1610.02

9 The Prince George's County Code

10 (2019 Edition; 2022 Supplement).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
12 Maryland, that Sections 10A-160 through 10A-1610.02 of the Prince George's County Code be
13 and the same is hereby repealing and reenacting with amendments:

14 SUBTITLE 10A. PURCHASING.

15 DIVISION 7. ECONOMIC DEVELOPMENT.

16 SUBDIVISION 1. COUNTY-BASED SMALL BUSINESS ASSISTANCE.

17 **Sec. 10A-160. Fund; establishment [Reserved].**

18 There is hereby established and created a special purpose non-lapsing fund to be known as
19 the "Local Business Childcare Grant Fund."

20 **Sec. 10A-160.01. Definitions.**

21 In his Subdivision the following terms shall have the denoted meanings.

- 1 (a) **Childcare Contribution** means an employer’s contribution to an employee’s dependent
- 2 care flexible spending account under section 125 of the Internal Revenue Code.
- 3 (b) **Director** means the Director of the Office of Finance or the Director’s designee.
- 4 (c) **Eligible Employee** means an employee of a Local Business who is Resides in the
- 5 County.
- 6 (d) **Fund** means the Local Business Childcare Grant Fund.
- 7 (e) **Household Incomes** means the income of the employee and that person’s spouse.
- 8 (f) **Local Business** shall mean both non-profit and for-profit entities that:
- 9 (1) has its Principal Place of Business in the Prince George’s County; and
- 10 (2) has fifty (50) employees or less full-time employees.
- 11 (g) **Principal Place of Business** means the head office of the business within which the
- 12 principal financial functions and operational control of the activities referred to in this
- 13 subtitle are exercised that includes a physical structure, office, or suite, but does not
- 14 include a post office box, a temporary job site, or project location.
- 15 (h) **Program** means the Local Business Childcare Grant Program established in this subtitle.
- 16 (j) **Reside(s)** means to be physically present and to maintain a permanent place of abode in
- 17 the County for an average of no fewer than four (4) calendar days and nights per week.

18 **Sec. 10A-160.02. Local Business Childcare Grant Program.**

- 19 (a) **Establishment of Program.** Subject to appropriation, the Director shall create and
- 20 administer a Local Business Childcare Grant Program to assist Local Businesses that
- 21 provide childcare contributions for the benefit of Eligible Employees. their employees.
- 22 (b) **Eligibility.** The Director, based upon information submitted by the applicant for
- 23 assistance, shall find that:
- 24 (1) the applicant owns a Local Business; and
- 25 (2) the Local Business provides childcare contributions to Eligible Employees. its
- 26 employees.
- 27 (c) **Grant Agreement.** In order to receive financial assistance from the Fund under the
- 28 Program, a Local Business shall enter into a grant agreement with the County, which
- 29 shall obligate and commit it to:
- 30 (1) the County’s right to audit financial records of the Local Business;
- 31 (2) the Local Business’ reporting obligations to the Director; and

1 (3) the Local Business' obligation to remit to the County any unused or
2 improperly used Funds.

3 (d) Financial assistance. The Director may award a grant from the Fund to an eligible Local
4 Business under paragraph (b) of this section to an Eligible Employee. The amount of the
5 grant shall not exceed fifty percent (50%) of the annual amount(s) of childcare
6 contributions paid by the Local Business and it shall be used solely for the purpose of
7 providing childcare contributions to Eligible Employees employee who earn gross
8 incomes of less than forty-two thousand dollars and zero cents (\$42,000.00) annually or
9 have combined Household Incomes of less than eighty-seven thousand dollars and zero
10 cents (\$87,000.00) annually, whichever is greater.

11 (e) Regulations. The Director shall implement methods, procedures, and regulations to
12 implement this Section. The regulations shall specify the application procedures and
13 eligibility criteria for a grant to a Local Business under the Program.

14 (f) Reports. On or before March 31 of each year, the Director shall report to the County
15 Council on the activities of the Program. The report shall include:

- 16 (1) the number of local businesses participating in the Program;
- 17 (2) the number and dollar amount of grants made; and
- 18 (3) an evaluation of the impact of the Program on economic development within
19 the County.

20 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
21 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
22 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
23 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words,
24 phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since
25 the same would have been enacted without the incorporation in this Act of any such invalid or
26 unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

27 SECTION 3. BE IT FURTHER ENACTED that a previously existing obligation or contract
28 right may not be impaired by this Act.

29 SECTION 4. BE IT FURTHER ENACTED BE IT FURTHER ENACTED that this Act shall
30 take effect on forty-five (45) calendar days after it becomes law.

Adopted this 14th day of November, 2023.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
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.

* * * * *

THE COUNTY EXECUTIVE HAVING FAILED TO RETURN THIS BILL WITH EITHER HER APPROVAL OR VETO
WITHIN TEN (10) DAYS AFTER THE DATE OF ITS PRESENTATION TO HER, THIS BILL BECAME LAW ON
DECEMBER 15, 2023.