



# Prince George's County Council

Wayne K. Curry  
Administration Building  
1301 McCormick Dr  
Largo, MD 20774

## Meeting Agenda - Final General Assembly Committee

*Wala Blegay, Chair*

*Edward P. Burroughs, Vice Chair*

*Mel Franklin*

*Sydney J. Harrison*

*Calvin S. Hawkins, II*

*Director ~ Marverly K. Nettles-Simpson*

*Staff ~ Edwin H. Brown, Jr.*

*(301) 952-3758*

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**Tuesday, January 24, 2023**

**9:00 AM**

**Council Hearing Room**

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### **ORDER OF PROCEEDINGS**

### **CALL TO ORDER**

### **LOCAL BILLS**

MC/PG 101-23: (UPDATE) Washington Suburban Sanitary Commission-Minority Business Enterprise Utilization Program-Revisions and Extension

MC/PG 107-23: (UPDATE) Prince George's County – Maryland–Washington Regional District – Standing to Request Review of Zoning and Land Use Decisions

### **LETTER**

2023 Joint Legislative Priorities Letter Proposed Draft 2

### **STATEWIDE BILLS**

SB 128: Economic Development – Emergency Relief Program – Established

HB 60: Housing Innovation Pilot Program and Housing Innovation Fund - Establishment (Housing Innovation Pilot Program Act of 2023)

SB 81: Labor and Employment - State Minimum Wage Rate - Acceleration (Fight for Fifteen Acceleration Act of 2023)

**STATEWIDE BILLS (Continued)**

SB 11: Motor Vehicles – Speed Limits – School Zones

HB 57: Property Tax – Tax Sales – Requirement to Sell

HB 133: Court Proceedings – Remote Public Access and Participation

**MACO UPDATES**

**GENERAL ASSEMBLY UPDATES**

**ADJOURN**

Bill No.: \_\_\_\_\_

Requested: \_\_\_\_\_

Committee: \_\_\_\_\_

Drafted by: McCurdy

Typed by: Julia

Stored – 11/01/22

Proofread by \_\_\_\_\_

Checked by \_\_\_\_\_

By: **Montgomery County Delegation and Prince George's County Delegation**  
 Requested by the Chair on behalf of WSSC

## A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Minority Business Enterprise**  
 3 **Utilization Program – Revisions and Extension**

4 **MC/PG 101–23**

5 FOR the purpose of revising the minority business enterprise utilization program within  
 6 the Washington Suburban Sanitary Commission, including altering the definition of  
 7 “minority business enterprise”, altering the duties of the Office of Supplier Diversity  
 8 and Inclusion, merging the program for design/build and construction contracts with  
 9 the program for the procurement of goods and services, altering requirements for  
 10 prime contractors in relation to minority business enterprise participation, and  
 11 altering certification requirements for businesses to participate in contract-specific  
 12 minority business enterprise goals and preferences authorized by the Commission;  
 13 extending until a certain date provisions relating to procurement from minority  
 14 business enterprises by the Commission; and generally relating to the Washington  
 15 Suburban Sanitary Commission and procurements from minority business  
 16 enterprises.

17 BY repealing and reenacting, with amendments,  
 18 Article – Public Utilities  
 19 Section 20–201, 20–202, 20–204, 20–206, 20–208, and 20–302  
 20 Annotated Code of Maryland

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 EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2020 Replacement Volume and 2022 Supplement)

BY adding to

Article – Public Utilities

Section 20–202 and 20–205

Annotated Code of Maryland

(2020 Replacement Volume and 2022 Supplement)

BY repealing

Article – Public Utilities

Section 20–203 and 20–205

Annotated Code of Maryland

(2020 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 20–207

Annotated Code of Maryland

(2020 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

**Article – Public Utilities**

20–201.

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

(b) [Except as provided in § 20–203 of this subtitle, “minority] **“MINORITY business enterprise”** [means a legal entity that is:

(1) organized to engage in commercial transactions; and

(2) at least 51% owned and controlled by one or more individuals who are members of a group that is:

(i) disadvantaged socially or economically by the effects of past discrimination, including discrimination as to certification; and

(ii) identified by a study conducted in accordance with this subtitle or a similar, previously conducted study] **HAS THE MEANING STATED IN § 14–301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

(c) “Office” means the Office of Supplier Diversity and Inclusion established under [§ 20–202] **§ 20–203** of this subtitle.

**20–202.**

**THE GENERAL ASSEMBLY FINDS THE FOLLOWING:**

**(1) THE GENERAL ASSEMBLY WISHES TO PROVIDE ALL CITIZENS OF MARYLAND WITH EQUAL ACCESS TO BUSINESS FORMATION AND BUSINESS GROWTH OPPORTUNITIES;**

**(2) THE ELIMINATION OF DISCRIMINATION AGAINST MINORITY– AND WOMEN–OWNED BUSINESSES IS OF PARAMOUNT IMPORTANCE TO THE FUTURE WELFARE OF THE COMMUNITY SERVED BY THE COMMISSION;**

**(3) THE COMMISSION HAS PROCURED, RECEIVED, ACCEPTED, AND CAREFULLY REVIEWED A DISPARITY STUDY COMMISSIONED BY THE COMMISSION AND FINDS THAT THE DISPARITY STUDY PROVIDES A STRONG BASIS IN EVIDENCE DEMONSTRATING PERSISTENT DISCRIMINATION AGAINST MINORITY– AND WOMEN–OWNED BUSINESSES;**

**(4) BASED ON ITS REVIEW OF THE DISPARITY STUDY:**

**(I) THERE ARE SUBSTANTIAL AND STATISTICALLY SIGNIFICANT ADVERSE DISPARITIES THAT ARE STRONG EVIDENCE OF DISCRIMINATION AGAINST MINORITIES AND NONMINORITY WOMEN IN WAGES, BUSINESS FORMATION, BUSINESS OWNER EARNINGS, AND ACCESS TO CAPITAL IN THE SAME GEOGRAPHIC MARKETS AND INDUSTRY CATEGORIES IN WHICH THE COMMISSION DOES BUSINESS;**

1                   **(II) THE COMMISSION WOULD BECOME A PASSIVE PARTICIPANT**  
2 **IN PRIVATE SECTOR RACIAL AND GENDER DISCRIMINATION IF IT ELIMINATED ITS**  
3 **REMEDIAL EFFORTS, INCLUDING THE OPERATION OF THE MINORITY BUSINESS**  
4 **ENTERPRISE UTILIZATION PROGRAM ESTABLISHED UNDER § 20-204 OF THIS**  
5 **SUBTITLE;**

6                   **(III) THERE REMAIN SUBSTANTIAL AND STATISTICALLY**  
7 **SIGNIFICANT ADVERSE DISPARITIES THAT ARE CONSISTENT WITH DISCRIMINATION**  
8 **AGAINST MINORITIES AND NONMINORITY WOMEN IN THE COMMISSION'S OWN**  
9 **PROCUREMENT DESPITE THE COMMISSION'S ASSERTIVE EFFORTS TO CURTAIL**  
10 **THAT DISCRIMINATION;**

11                   **(IV) THERE ARE SUBSTANTIAL AND STATISTICALLY**  
12 **SIGNIFICANT ADVERSE DISPARITIES THAT ARE CONSISTENT WITH DISCRIMINATION**  
13 **AGAINST BUSINESSES OWNED BY MINORITIES AND NONMINORITY WOMEN IN ALL**  
14 **MAJOR INDUSTRY CATEGORIES IN WHICH THE COMMISSION PROCURES GOODS AND**  
15 **SERVICES;**

16                   **(V) THERE IS AMPLE EVIDENCE THAT DISCRIMINATION IN THE**  
17 **PRIVATE SECTOR HAS DEPRESSED BUSINESS FORMATION AND BUSINESS GROWTH**  
18 **AMONG MINORITY AND NONMINORITY WOMEN ENTREPRENEURS IN THE**  
19 **GEOGRAPHIC MARKETS AND INDUSTRY CATEGORIES IN WHICH THE COMMISSION**  
20 **DOES BUSINESS; AND**

21                   **(VI) THERE IS POWERFUL AND PERSUASIVE QUALITATIVE**  
22 **EVIDENCE, BOTH STATISTICAL AND ANECDOTAL, OF DISCRIMINATION AGAINST**  
23 **MINORITY AND NONMINORITY WOMEN BUSINESS OWNERS IN BOTH THE PUBLIC AND**  
24 **PRIVATE SECTORS IN THE GEOGRAPHIC MARKETS AND INDUSTRY CATEGORIES IN**  
25 **WHICH THE COMMISSION DOES BUSINESS;**

26                   **(5) AS A RESULT OF ONGOING DISCRIMINATION AND THE PRESENT**  
27 **DAY EFFECTS OF PAST DISCRIMINATION, MINORITY- AND WOMEN-OWNED**  
28 **BUSINESSES COMBINED CONTINUE TO BE SIGNIFICANTLY UNDERUTILIZED**  
29 **RELATIVE TO THEIR AVAILABILITY TO PERFORM WORK IN ALL OF THE**  
30 **PROCUREMENT CATEGORIES IN WHICH THE COMMISSION DOES BUSINESS;**

31                   **(6) MINORITY PRIME CONTRACTORS ALSO ARE SUBJECT TO**  
32 **DISCRIMINATION AND CONFRONT ESPECIALLY DAUNTING BARRIERS IN**

1 ATTEMPTING TO COMPETE WITH VERY LARGE AND LONG-ESTABLISHED  
2 NONMINORITY COMPANIES;

3 (7) DESPITE THE FACT THAT THE COMMISSION HAS EMPLOYED, AND  
4 CONTINUES TO EMPLOY, NUMEROUS AND ROBUST RACE-NEUTRAL REMEDIES,  
5 INCLUDING AGGRESSIVE OUTREACH AND ADVERTISING, TRAINING AND EDUCATION,  
6 A SMALL LOCAL BUSINESS PROGRAM, AND OTHER EFFORTS, THERE IS A STRONG  
7 BASIS IN EVIDENCE THAT DISCRIMINATION PERSISTS EVEN IN PUBLIC SECTOR  
8 PROCUREMENT WHERE THESE EFFORTS HAVE BEEN EMPLOYED;

9 (8) THIS SUBTITLE ENSURES THAT RACE-NEUTRAL EFFORTS WILL BE  
10 USED TO THE MAXIMUM EXTENT FEASIBLE AND THAT RACE-CONSCIOUS MEASURES  
11 WILL BE USED ONLY WHERE NECESSARY TO ELIMINATE DISCRIMINATION THAT WAS  
12 NOT ALLEVIATED BY RACE-NEUTRAL EFFORTS;

13 (9) THIS SUBTITLE CONTINUES AND ENHANCES EFFORTS TO ENSURE  
14 THAT THE COMMISSION LIMITS THE BURDEN ON NONMINORITY BUSINESSES AS  
15 MUCH AS POSSIBLE BY ENSURING THAT ALL GOALS ARE DEVELOPED USING THE  
16 BEST AVAILABLE DATA AND THAT WAIVERS ARE AVAILABLE WHEN CONTRACTORS  
17 MAKE GOOD FAITH EFFORTS;

18 (10) THIS SUBTITLE ENSURES THAT THE OPERATION OF THE MINORITY  
19 BUSINESS ENTERPRISE UTILIZATION PROGRAM ESTABLISHED UNDER § 20-204 OF  
20 THIS SUBTITLE IS CONSISTENT WITH THE DISPARITY STUDY DATA AND IS NARROWLY  
21 TAILORED TO THE COMPELLING INTERESTS OF THE STATE; AND

22 (11) COMMISSION EFFORTS TO SUPPORT THE DEVELOPMENT OF  
23 COMPETITIVELY VIABLE BUSINESSES OWNED BY WOMEN AND MINORITIES WILL  
24 ASSIST IN REDUCING DISCRIMINATION AND CREATING JOBS FOR ALL CITIZENS OF  
25 MARYLAND.

26 [20-202.] 20-203.

27 (a) There is an Office of Supplier Diversity and Inclusion in the Commission.

28 (b) The head of the Office is the Director of the Office of Supplier Diversity and  
29 Inclusion.

(c) The Office shall:

(1) administer each Commission program that is created to [promote the growth of or participation by] **REMEDY DISCRIMINATION AGAINST** minority [or] **BUSINESS ENTERPRISES AND PROMOTE THE PARTICIPATION OF** local small business enterprises, including:

(i) [the minority business enterprise utilization program for design/build and construction contracts under § 20–203 of this subtitle;

(ii)] the minority business enterprise utilization program [for the procurement of other goods and services] under § 20–204 of this subtitle; and

[(iii)] **(II)** the local small business enterprise program under Subtitle 3 of this title;

(2) promote and coordinate the plans, programs, and operations of the Commission [that promote or affect the establishment, preservation, and strengthening of minority business enterprises] **TO REMEDY DISCRIMINATION AGAINST MINORITY BUSINESS ENTERPRISES AND THE EFFECTS OF DISCRIMINATION;**

(3) promote activities and the use of the resources of the Commission, local governments, and private entities [for the growth of] **TO REMEDY DISCRIMINATION AGAINST** minority business enterprises **AND THE EFFECTS OF DISCRIMINATION; AND**

(4) [provide technical and managerial assistance to minority business enterprises;

(5) schedule seminars and workshops to educate minority businesses on how the Commission conducts business; and

(6)] ensure compliance with certified minority business enterprise subcontract participation goals under § 20–206 of this subtitle.

[20–203.

(a) In this section, “minority business enterprise” has the meaning stated in § 14–301 of the State Finance and Procurement Article.



1           (b)   (1)   By resolution and adopting regulations, the Commission shall establish  
2 a mandatory minority business enterprise utilization program to facilitate the participation  
3 of responsible certified minority business enterprises in contracts awarded by the  
4 Commission in accordance with its competitive bidding or proposal procedures under  
5 Subtitle 1 of this title.

6                   (2)   The Office shall administer the program established under this  
7 subsection.

8           (c)   Regulations that establish the program under subsection (b) of this section  
9 shall include provisions that:

10                   (1)   recognize the certification of minority business enterprises by the State  
11 certification agency designated under § 14–303(b) of the State Finance and Procurement  
12 Article;

13                   (2)   recognize any other certification program that the Commission  
14 determines substantially duplicates the requirements of the State certification agency;

15                   (3)   provide for the graduation of a minority business enterprise from the  
16 program if the Commission determines that the minority business enterprise no longer  
17 requires the assistance or benefits offered by the program;

18                   (4)   at the time of submission, require a bid or proposal based on a  
19 solicitation with an expected degree of minority business enterprise participation to include  
20 proof of a certified minority business enterprise commitment by stating:

21                           (i)   the potential subcontract opportunities available in the prime  
22 procurement contract; and

23                           (ii)   the number of minority business enterprises that have certified,  
24 under the penalties for perjury, that the minority business enterprise has entered into an  
25 agreement with the bidder or offeror to provide goods or services under specific terms  
26 outlined in the certification;

27                   (5)   require each general contractor to submit to the Commission monthly  
28 reports of the number of minority business enterprises employed by the general contractor;

(6) require each general contractor to provide prompt notification to the Commission if a contract with a minority business enterprise is terminated;

(7) require each general contractor to:

(i) maintain a participation level from minority business enterprises that is consistent with the participation level referenced under item (4)(ii) of this subsection; or

(ii) provide justification for the inability of the general contractor to maintain the participation level;

(8) provide for an increase in minority business enterprise participation as general contractors and subcontractors; and

(9) authorize the waiver of all or part of the program for a specific contract if the Commission determines that applying the program to the contract would conflict with the overall objectives and responsibilities of the Commission.

(d) Before accepting an alternative certification program under subsection (c)(2) of this section, the Commission shall examine the alternative program to ensure that the alternative program complies with the guidelines established under § 20–205 of this subtitle.]

20–204.

(a) (1) By resolution and adopting regulations, the Commission shall establish a minority business enterprise utilization program to [facilitate the participation of responsible certified] **REMEDY DISCRIMINATION AGAINST** minority business enterprises in contracts awarded by the Commission [for goods and services that are not covered under § 20–203 of this subtitle,] if the Commission determines that:

(i) [minority business enterprises are underrepresented in the award of these contracts due to the effects of past discrimination] **THERE IS A STRONG BASIS IN EVIDENCE THAT MINORITY BUSINESS ENTERPRISES ARE SUBJECT TO DISCRIMINATION**; and

(ii) a program is necessary to remedy the effects of this [past] discrimination.

(2) The Office shall administer the program established under this subsection.

(b) Regulations that establish the program under subsection (a) of this section shall include provisions that:

(1) recognize the certification of minority business enterprises by the State certification agency designated under § 14–303(b) of the State Finance and Procurement Article **AND THE REGULATIONS ADOPTED UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;**

(2) recognize any other certification program that the Commission determines, **UNDER § 20–205 OF THIS SUBTITLE,** substantially duplicates the requirements of the State certification agency;

**[(3) provide for the graduation of a minority business enterprise from the program if the Commission determines that the minority business enterprise no longer requires the assistance or benefits offered by the program;**

(4) at the time of submission, require a bid or proposal based on a solicitation with an expected degree of minority business enterprise participation to include proof of a certified minority business enterprise commitment by stating:

(i) the potential subcontract opportunities available in the prime procurement contract; and

(ii) the number of minority business enterprises that have certified, under the penalties for perjury, that the minority business enterprise has entered into an agreement with the bidder or offeror to provide goods or services under specific terms outlined in the certification;]

**(3) ESTABLISH A RANGE OF RACE-NEUTRAL PROGRAMS AND POLICIES AIMED AT REMEDYING DISCRIMINATION, INCLUDING EFFORTS TO ASSIST SMALL AND UNDERUTILIZED BUSINESSES WITH:**

1                   **(I)     GROWING THE BUSINESS AND BEING COMPETITIVE;**

2                   **(II)    UNDERSTANDING AND NAVIGATING THE COMMISSION’S**  
3 **PROCUREMENT PROCESS AND REQUIREMENTS; AND**

4                   **(III)   THRIVING AS BOTH SUBCONTRACTORS AND PRIME**  
5 **CONTRACTORS;**

6                   **(4)    AT THE TIME OF SUBMISSION, REQUIRE A BID OR PROPOSAL**  
7 **BASED ON A SOLICITATION THAT INCLUDES A MINORITY BUSINESS ENTERPRISE**  
8 **PARTICIPATION GOAL TO INCLUDE, UNDER PENALTIES OF PERJURY,**  
9 **DOCUMENTATION:**

10                  **(I)     ABOUT EACH MINORITY BUSINESS THAT HAS CERTIFIED**  
11 **THAT THE MINORITY BUSINESS AGREES TO PROVIDE SPECIFIC GOODS AND**  
12 **SERVICES UNDER SPECIFIC TERMS OUTLINED IN THE CERTIFICATION; AND**

13                  **(II)    OF GOOD FAITH EFFORTS TO MEET ANY PART OF A GOAL**  
14 **NOT MET BY THE DOCUMENTATION REQUIRED UNDER ITEM (I) OF THIS ITEM;**

15                  (5)    require each [general] **PRIME** contractor to submit to the Commission  
16 monthly reports [of the number of minority business enterprises employed by the general  
17 contractor] **CONTAINING INFORMATION REQUIRED BY THE OFFICE;**

18                  (6)    require each [general] **PRIME** contractor, **WHEN FEASIBLE**, to provide  
19 prompt notification to the Commission [if a contract] **BEFORE THE TERMINATION OF A**  
20 **CONTRACT** with a minority business enterprise [is terminated];

21                  (7)    require each [general] **PRIME** contractor to:

22                       (i)    maintain [a] participation [level] from minority business  
23 enterprises that is consistent with the participation [level] referenced under item [(4)(ii)]  
24 **(4)** of this subsection; or

25                       (ii)   provide [justification for the inability of the general contractor]  
26 **DOCUMENTATION OF GOOD FAITH EFFORTS** to maintain the participation [level]  
27 **REFERENCED UNDER ITEM (4) OF THIS SUBSECTION;**

(8) provide for minority business enterprise participation through  
[subcontracting] **CONTRACT-SPECIFIC GOALS;**

(9) [(i)] authorize the waiver of all or part of the program for a specific  
contract if the Commission determines that applying the program to the contract would  
conflict with **THE LAW OR** the overall objectives and responsibilities of the Commission;  
[and

(ii) require the Commission to report annually to the Montgomery  
County and Prince George's County Senate and House Delegations to the Maryland  
General Assembly on any waivers granted under this subsection;]

(10) [except as provided in item (11) of this subsection, provide] **ALLOW** for  
a system of granting a **PRICE** preference [of up to the lesser of 5% or \$50,000] to minority  
business enterprises in evaluating bids or proposals, **INCLUDING THE AVAILABILITY OF**  
**A GOOD FAITH WAIVER PROVISION FOR A PREFERENCE;**

(11) [subject to subsection (d) of this section, establish a sheltered market  
program in which bidding on procurement contracts designated by the Commission as  
appropriate is restricted to certified minority business enterprises] **AUTHORIZE THE**  
**ESTABLISHMENT OF A RACE-NEUTRAL PROGRAM TO ENCOURAGE FIRMS TO**  
**DEVELOP PRIME CONTRACTING EXPERIENCE AND EXPERTISE;**

(12) require the solicitation document accompanying each solicitation to set  
forth the regulations that establish the program; **AND**

(13) [require the geographic location and the principal place of business of  
the minority business enterprise to be a consideration for participation in the program,  
including requiring Montgomery County businesses and Prince George's County businesses  
to each have a targeted percentage of at least 40% of any contracts; and

(14)] authorize the Commission to:

(i) refuse to recognize the certification of a business found to be in  
violation of the purposes of the program; and

(ii) permanently bar an active principal of a violating business from  
future participation in the program.

1           [(c) Before accepting an alternative certification program under subsection (b)(2)  
2 of this section, the Commission shall examine the alternative program to ensure that:

3                   (1) the alternative program complies with the guidelines established under  
4 § 20–205 of this subtitle; and

5                   (2) the principal owner of an eligible minority business enterprise is in not  
6 more than one certified business that is participating in the Commission minority business  
7 enterprise utilization program under this section.

8           (d) (1) The sheltered market program established in subsection (b)(11) of this  
9 section may not be used until all less restrictive remedies under subsection (b) of this  
10 section and race–neutral remedies, including assistance with bonding requirements,  
11 financing, or bidding procedures for small firms, have been used and determined to be  
12 ineffective.

13                   (2) If at least three certified minority business enterprises bid on a contract  
14 under the sheltered market program, the Commission shall award the contract to the  
15 lowest bidder.

16                   (3) If fewer than three certified minority business enterprises bid on a  
17 contract under the sheltered market program, the contract shall be awarded under  
18 subsection (b)(10) of this section.]

19 [20–205.

20           (a) (1) A certifying agency shall determine bona fide minority group  
21 membership based on an individual’s claim that the individual is:

22                   (i) a member of a minority group; and

23                   (ii) regarded as a member by that minority community.

24                   (2) A certifying agency may determine that an individual’s claim under this  
25 subsection is invalid.

(b) (1) To be eligible for certification as a minority business enterprise and participation in a minority business enterprise utilization program under § 20–203 or § 20–204 of this subtitle, a business shall meet the standards under this subsection.

(2) (i) A minority business enterprise shall be an independent business.

(ii) A certifying agency shall determine whether a business is independent by considering:

1. the date the business was established;

2. the adequacy of the resources of the business for the work required under the contract;

3. the degree to which financial, equipment leasing, and other relationships with nonminority businesses vary from industry practice; and

4. any other relevant factor.

(3) A minority owner shall have real, substantial, and continuing ownership and control of the business that goes beyond the pro forma ownership of the business as reflected in the ownership documents.

(4) A minority owner shall have the customary incidents of ownership and share in the risks and profits commensurate with the ownership interests in the business as demonstrated by an examination of the substance rather than the form of the arrangements.

(5) Recognition of the business as a separate entity for tax or corporate purposes is not necessarily sufficient for certification as a minority business enterprise.

(6) (i) A minority owner shall have the power to:

1. direct or cause the direction of the management and policies of the business; and

2. make the day-to-day and major decisions on matters of management, policy, and operations for the business.

1 (ii) The business may not be subject to a formal or informal  
2 restriction, including a bylaw, partnership agreement, or charter requirement for  
3 cumulative voting rights, that prevents a minority owner from making a business decision  
4 without the cooperation or vote of an owner who is not a minority.

5 (7) (i) The business may not be operated disproportionately by the  
6 owners of the business who are not minorities.

7 (ii) If the management of the business is contracted out to an  
8 individual other than the owner, the individual who has the ultimate power to hire and fire  
9 the managers may be considered as controlling the business.

10 (8) (i) Minorities shall directly hold all securities that constitute  
11 ownership or control of a corporation for the purpose of establishing the corporation as a  
12 minority business enterprise.

13 (ii) Securities held in trust or by a guardian for a minor may not be  
14 considered held by minorities in determining the ownership or control of a corporation.

15 (9) A contribution of capital or expertise by a minority owner to acquire an  
16 interest in a business shall be real and substantial and may not include:

17 (i) a promise to contribute capital;

18 (ii) a note payable to the business or owners of the business who are  
19 not socially and economically disadvantaged; or

20 (iii) participation as an employee and not as a manager.

21 (c) In determining eligibility as a minority business enterprise, a certifying  
22 agency shall:

23 (1) closely scrutinize a newly formed business, or a business for which the  
24 ownership or control has changed since the date of the advertisement of the contract, to  
25 determine the reason for the timing of the formation or change;



(2) carefully review a previous or continuing employer–employee relationship among present owners to ensure that an employee–owner has the management responsibilities and capabilities required under this section; and

(3) carefully review a relationship between a minority business enterprise and a business that is not a minority business enterprise that has an interest in the minority business enterprise to determine if the interest of the nonminority business conflicts with the ownership and control requirements of this section.]

**20–205.**

**(A) TO PARTICIPATE IN THE CONTRACT–SPECIFIC GOALS AND PREFERENCES AUTHORIZED UNDER THIS SUBTITLE, A BUSINESS MUST:**

**(1) BE CERTIFIED BY A CERTIFICATION AGENCY IN ACCORDANCE WITH TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND THE REGULATIONS ADOPTED UNDER THAT SUBTITLE;**

**(2) (I) BE CERTIFIED BY ANY CERTIFICATION AGENCY; AND**

**(II) SUBMIT ALL ADDITIONAL DOCUMENTATION NECESSARY FOR THE OFFICE TO DETERMINE THAT THE BUSINESS MEETS THE REQUIREMENTS OF TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND THE REGULATIONS ADOPTED UNDER THAT SUBTITLE; OR**

**(3) BE CERTIFIED UNDER A CERTIFICATION PROGRAM THAT THE COMMISSION DETERMINES SUBSTANTIALLY DUPLICATES THE REQUIREMENTS FOR A STATE CERTIFICATION AGENCY UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND THE REGULATIONS ADOPTED UNDER THAT SUBTITLE.**

**(B) TO SUBSTANTIALLY DUPLICATE THE REQUIREMENTS FOR A STATE CERTIFICATION AGENCY UNDER TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND THE REGULATIONS ADOPTED UNDER THAT SUBTITLE, A CERTIFICATION PROGRAM SHALL, AT A MINIMUM, HAVE CERTIFICATION REQUIREMENTS THAT ARE AT LEAST AS NARROWLY TAILORED AS THE STATE’S REQUIREMENTS IN TITLE 14, SUBTITLE 3 OF THE STATE FINANCE AND**

**PROCUREMENT ARTICLE AND THE REGULATIONS ADOPTED UNDER THAT SUBTITLE  
WITH RESPECT TO:**

**(1) BUSINESS OWNERSHIP AND CONTROL;**

**(2) BUSINESS SIZE STANDARDS;**

**(3) BUSINESS OWNER PERSONAL NET WORTH; AND**

**(4) BUSINESS OWNER SOCIAL AND ECONOMIC DISADVANTAGE.**

**(C) IF THE OFFICE DETERMINES THAT A BUSINESS SEEKING TO  
PARTICIPATE IN THE MINORITY BUSINESS ENTERPRISE UTILIZATION PROGRAM  
ESTABLISHED UNDER § 20–204 OF THIS SUBTITLE HAS A CERTIFICATION THAT DOES  
NOT SUBSTANTIALLY DUPLICATE THE REQUIREMENTS IN TITLE 14, SUBTITLE 3 OF  
THE STATE FINANCE AND PROCUREMENT ARTICLE AND THE REGULATIONS  
ADOPTED UNDER THAT SUBTITLE, THE OFFICE MAY:**

**(1) REQUEST AND EVALUATE DOCUMENTATION AND EVIDENCE  
NECESSARY TO DETERMINE WHETHER THE BUSINESS MAY BE AUTHORIZED TO  
PARTICIPATE IN PROGRAMS UNDER THIS SUBTITLE; AND**

**(2) FOLLOWING THE EVALUATION UNDER ITEM (1) OF THIS  
SUBSECTION, AUTHORIZE A BUSINESS TO PARTICIPATE IN PROGRAMS UNDER THIS  
SUBTITLE.**

20–206.

(a) The Office shall verify that a certified minority business enterprise listed in a schedule of participation is actually performing work and receiving compensation as established in the schedule.

(b) To facilitate the Office completing its duties under subsection (a) of this section, a contractor shall:

(1) allow the Office to inspect any relevant matter, including records and the job site;

(2) allow the Office to interview subcontractors and employees of the contractor;

(3) [if performing a construction contract,] ensure that subcontractors[:

(i) are paid any undisputed amount to which the subcontractor is entitled as provided under § 15–226 of the State Finance and Procurement Article; and

(ii)] comply with Commission regulations;

(4) include in the agreement with the certified minority business enterprise subcontractor a requirement that the subcontractor submit a monthly report to the Commission that:

(i) identifies the prime contract; and

(ii) lists payments received from the contractor in the previous month and invoices sent to the contractor that have not been paid; and

(5) submit a monthly report to the Commission that lists:

(i) unpaid invoices that are more than 30 days old received from certified minority business enterprise subcontractors; and

(ii) the reason payments have not been made.

(c) (1) (i) On completion of a contract or before final payment or release of retainage, the Commission may require a [general] **PRIME** contractor on a contract having a minority business enterprise subcontracting goal to submit to the Commission a final report of all payments made to or withheld from minority business enterprise subcontractors.

(ii) The final report shall be in affidavit form and under the penalties for perjury.

(2) Each solicitation shall contain notice of the requirements of this subsection.

(d) (1) On a finding that a contractor is noncompliant, the Commission shall notify the contractor in writing of the findings and state the required corrective action.

(2) A noncompliant contractor shall:

(i) initiate the corrective action within 10 days after receiving the written notice; and

(ii) complete the corrective action within the time specified by the Commission.

(e) If the Commission finds that a [general] **PRIME** contractor is in material noncompliance with minority business enterprise contract provisions and the [general] **PRIME** contractor fails to take the corrective action required by the Commission, the Commission may:

(1) terminate the contract;

(2) refer the [general] **PRIME** contractor to the [general manager of the Commission or the full Commission] **RELEVANT PERSON** for appropriate action; or

(3) initiate any other specific remedy identified in the contract.

20–207.

(a) By October 31 of each year, the Commission shall issue a report to the Montgomery County and Prince George’s County Senate and House Delegations to the Maryland General Assembly concerning:

(1) the implementation and administration of the minority business enterprise programs under this subtitle for the fiscal year ending on the preceding June 30; and

(2) appropriate recommendations concerning the programs.

(b) (1) The Commission may conduct an impartial fact-finding study in connection with a minority business enterprise program for consistency with applicable law.

1                   (2)     The Commission shall report the findings of a study completed under  
2 this subsection to the Montgomery County and Prince George’s County Senate and House  
3 Delegations to the Maryland General Assembly.

4     20–208.

5                   This subtitle shall be of no effect and may not be enforced after July 1, [2023] **2028**.

6     20–302.

7                   (a)     By resolution or adopting regulations, the Commission may establish a local  
8 small business enterprise program.

9                   (b)     The Office of Supplier Diversity and Inclusion, established under [§ 20–202]  
10 **§ 20–203** of this title, shall administer the program.

11                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
12 1, 2023.

Bill No.: \_\_\_\_\_

Requested: \_\_\_\_\_

Committee: \_\_\_\_\_

Drafted by: Carter

Typed by: Lynn

Stored – 11/28/22

Proofread by \_\_\_\_\_

Checked by \_\_\_\_\_

By: **Montgomery County Delegation and Prince George's County Delegation**

Requested by: Delegates Lehman &amp; Peña-Melnyk

## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Maryland–Washington Regional District – Standing to**  
3 **Request Review of Zoning and Land Use Decisions**4 **MC/PG 107–23**

5 FOR the purpose of altering the list of persons that may request judicial review of a final  
6 decision of the Prince George's County District Council; altering the list of persons  
7 that may request the district council to review a decision of a zoning hearing  
8 examiner or the planning board of Prince George's County; altering the  
9 circumstances under which a certain person may request the district council to  
10 review a decision of a zoning hearing examiner or the planning board of Prince  
11 George's County; and generally relating to reviews of zoning decisions in Prince  
12 George's County.

13 BY repealing and reenacting, with amendments,

14 Article – Land Use

15 Section 22–407(a)(1) and 23–401

16 Annotated Code of Maryland

17 (2012 Volume and 2022 Supplement)

18 BY repealing

19 Article – Land Use

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Section 25–212  
Annotated Code of Maryland  
(2012 Volume and 2022 Supplement)

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

**Article – Land Use**

22–407.

(a) (1) Judicial review of **[any]** A final decision of the district council, including  
an individual map amendment or a sectional map amendment, may be requested by **[any]**  
person or entity that is aggrieved by the decision of the district council and is]:

(i) **[a]** ANY municipal corporation, governed special taxing district,  
or person in the county;

(ii) **[a]** ANY civic or homeowners association representing property  
owners affected by the final decision; **OR**

(iii) **[the owner of the property that is the subject of the decision; or**

(iv)] **IF AGGRIEVED**, the applicant.

23–401.

(a) (1) Within 30 days after the county planning board takes final action on an  
application for subdivision approval, judicial review may be requested by:

(i) a person aggrieved by the action; **OR**

(ii) **[in Montgomery County,]** a person or municipal corporation that  
appeared at the hearing in person, by attorney, or in writing[; or

(iii) in Prince George’s County, a municipal corporation that  
appeared at the hearing in person, by attorney, or in writing].

(2) A petition for judicial review filed under this section may be made to the circuit court for the appropriate county.

(3) The court may:

(i) affirm or reverse the action; or

(ii) remand the action to the county planning board for further consideration.

(b) (1) If a petition for judicial review is filed under this section, a copy of the petition shall be served on the county planning board in accordance with Maryland Rule 7–202(d).

(2) On receiving a copy of the petition, the county planning board shall:

(i) promptly give notice of the petition to all parties to the proceeding before it; and

(ii) within 30 days after the filing of the petition, file with the circuit court:

1. the originals or certified copies of all papers and evidence presented to the county planning board in the proceeding before it; and

2. a copy of its opinion and resolution deciding the application.

(3) Any party to the proceeding in the circuit court aggrieved by the judgment of the court may appeal from the judgment to the Court of Special Appeals.

(4) The review proceedings provided by this section are exclusive.

[25–212.

In Prince George’s County, a person may make a request to the district council for the review of a decision of the zoning hearing examiner or the county planning board only if:



1                   (1)     the person is an aggrieved person that appeared at the hearing before  
2 the zoning hearing examiner or county planning board in person, by an attorney, or in  
3 writing; and

4                   (2)     the review is expressly authorized under this division.】

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2023.

# SENATE BILL 128

C8

(PRE-FILED)

3lr0764  
CF 3lr1126

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By: **Senator Hester**

Requested: November 14, 2022

Introduced and read first time: January 11, 2023

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Economic Development – Emergency Relief Program – Established**

3 FOR the purpose of establishing the Emergency Relief Program in the Department of  
4 Commerce to assist certain small businesses in the State to recover from economic  
5 hardships sustained from certain emergencies; and generally relating to the  
6 establishment of the Emergency Relief Program.

7 BY adding to

8 Article – Economic Development

9 Section 5–2301 through 5–2305 to be under the new subtitle “Subtitle 23. Emergency  
10 Relief Program”

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2022 Supplement)

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

15 **Article – Economic Development**

16 **SUBTITLE 23. EMERGENCY RELIEF PROGRAM.**

17 **5–2301.**

18 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
19 **INDICATED.**

20 **(B) “EMERGENCY” HAS THE MEANING STATED IN § 14–101 OF THE PUBLIC**  
21 **SAFETY ARTICLE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(C) “PROGRAM” MEANS THE EMERGENCY RELIEF PROGRAM.**

2           **(D) “SMALL BUSINESS” MEANS A SMALL, MINORITY, OR WOMEN-OWNED**  
3 **BUSINESS THAT:**

4                   **(1) IS INDEPENDENTLY OWNED AND OPERATED;**

5                   **(2) IS NOT A SUBSIDIARY OF ANOTHER BUSINESS;**

6                   **(3) IS NOT DOMINANT IN ITS FIELD OF OPERATION;**

7                   **(4) IS IN GOOD STANDING WITH THE STATE; AND**

8                   **(5) DOES NOT EMPLOY IN ITS OPERATIONS MORE THAN 50 FULL-TIME**  
9 **EQUIVALENT EMPLOYEES.**

10 **5-2302.**

11           **(A) THERE IS AN EMERGENCY RELIEF PROGRAM IN THE DEPARTMENT.**

12           **(B) THE PURPOSE OF THE PROGRAM IS TO ASSIST SMALL BUSINESSES IN**  
13 **THE STATE TO RECOVER FROM ECONOMIC HARDSHIPS SUSTAINED FROM MULTIPLE**  
14 **EMERGENCIES.**

15 **5-2303.**

16           **IN ORDER TO QUALIFY FOR THE PROGRAM, A SMALL BUSINESS SHALL:**

17                   **(1) BE LOCATED IN AN AREA THAT HAS HAD THREE OR MORE STATES**  
18 **OF EMERGENCY DECLARED BY THE GOVERNOR UNDER § 14-107 OF THE PUBLIC**  
19 **SAFETY ARTICLE WITHIN THE IMMEDIATELY PRECEDING 10 YEARS;**

20                   **(2) HAVE RECEIVED AND HAD FORGIVEN A LOAN ADMINISTERED BY**  
21 **THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AND**

22                   **(3) HAVE EXPERIENCED A REDUCTION IN GROSS REVENUE OF AT**  
23 **LEAST 25% IN THE CALENDAR YEAR FOLLOWING A STATE OF EMERGENCY.**

24 **5-2304.**

25           **(A) A SMALL BUSINESS SHALL SUBMIT AN APPLICATION FOR A PROGRAM**  
26 **GRANT ON THE FORM THAT THE SECRETARY REQUIRES.**

1           **(B) THE PROGRAM SHALL REVIEW THE APPLICATION AND ALL SUPPORTING**  
2 **MATERIALS IN ORDER TO EVALUATE WHETHER THE SMALL BUSINESS QUALIFIES**  
3 **FOR A GRANT UNDER THE PROGRAM.**

4           **(C) (1) FUNDS FOR GRANTS AWARDED UNDER THE PROGRAM SHALL BE**  
5 **AS PROVIDED IN THE STATE BUDGET.**

6                   **(2) SUBJECT TO THE AVAILABILITY OF FUNDS, THE PROGRAM MAY**  
7 **AWARD AN ELIGIBLE SMALL BUSINESS A GRANT THAT EQUALS THE AMOUNT OF**  
8 **FEDERAL TAXES INCURRED BY THE SMALL BUSINESS AS A RESULT OF THE**  
9 **BUSINESS'S LOAN FORGIVENESS BY THE DEPARTMENT OF HOUSING AND**  
10 **COMMUNITY DEVELOPMENT.**

11                   **(3) THE PROGRAM SHALL AWARD THE GRANTS DESCRIBED UNDER**  
12 **PARAGRAPH (2) OF THIS SUBSECTION ON A FIRST-COME, FIRST-SERVED BASIS.**

13 **5-2305.**

14           **THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.**

15           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2023.

# HOUSE BILL 60

C9

(PRE-FILED)

3lr0788  
CF 3lr1192

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By: **Delegate Stewart**

Requested: November 15, 2022

Introduced and read first time: January 11, 2023

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Housing Innovation Pilot Program and Housing Innovation Fund –**  
3 **Establishment**  
4 **(Housing Innovation Pilot Program Act of 2023)**

5 FOR the purpose of establishing the Housing Innovation Pilot Program in the Department  
6 of Housing and Community Development to provide funds for certain mixed-income,  
7 cross-subsidized housing; establishing the Housing Innovation Fund as a special,  
8 nonlapsing fund; and generally relating to the Housing Innovation Pilot Program.

9 BY adding to  
10 Article – Housing and Community Development  
11 Section 4–512; and 4–2901 through 4–2907 to be under the new subtitle “Subtitle 29.  
12 Housing Innovation Pilot Program”  
13 Annotated Code of Maryland  
14 (2019 Replacement Volume and 2022 Supplement)

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

17 **Article – Housing and Community Development**

18 **4–512.**

19 **(A) IN THIS SECTION, “FUND” MEANS THE HOUSING INNOVATION FUND.**

20 **(B) THERE IS A HOUSING INNOVATION FUND.**

21 **(C) THE PURPOSE OF THE FUND IS TO PROVIDE LOANS FOR LOCAL HOUSING**  
22 **AUTHORITIES TO DEVELOP MIXED-INCOME, CROSS-SUBSIDIZED HOUSING.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

(2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY TO PROVIDE LOW- OR NO-INTEREST LOANS TO LOCAL HOUSING AUTHORITIES THROUGH THE HOUSING INNOVATION PILOT PROGRAM IN ACCORDANCE WITH SUBTITLE 29 OF THIS TITLE.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

**SUBTITLE 29. HOUSING INNOVATION PILOT PROGRAM.**

**4-2901.**

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

(B) "FUND" MEANS THE HOUSING INNOVATION FUND.

(C) "HOUSING INNOVATION PROJECT" MEANS A PROJECT TO PROVIDE MIXED-INCOME, CROSS-SUBSIDIZED HOUSING THAT QUALIFIES UNDER § 4-2903 OF THIS SUBTITLE.

(D) "PROGRAM" MEANS THE HOUSING INNOVATION PILOT PROGRAM.

(E) "PUBLIC OWNERSHIP" MEANS THE STATE OR A POLITICAL SUBDIVISION OF THE STATE POSSESSES MAJORITY OWNERSHIP OR CONTROL.

4-2902.

(A) THERE IS A HOUSING INNOVATION PILOT PROGRAM.

(B) THE PURPOSES OF THE PROGRAM ARE:

(1) TO CREATE OPPORTUNITIES FOR THE STATE'S PUBLIC HOUSING AUTHORITIES TO INCREASE THE VOLUME OF HOUSING PRODUCTION; AND

(2) TO INCENTIVIZE HOUSING AUTHORITIES TO INCREASE OPPORTUNITIES BY PROVIDING STATE MATCHING FUNDS FOR HOUSING INNOVATION PROJECTS FUNDED THROUGH LOCAL REVOLVING LOAN FUNDS.

(C) THE PROGRAM SHALL BE OPERATED WITH MONEY IN THE FUND.

4-2903.

A PROJECT QUALIFIES AS A HOUSING INNOVATION PROJECT IF:

(1) IT PROVIDES NEW HOUSING IN WHICH:

(I) AT LEAST 20% OF THE UNITS ARE SET ASIDE FOR HOUSEHOLDS WITH A GROSS ANNUAL INCOME OF NOT MORE THAN 50% OF THE AREA MEDIAN INCOME FOR A HOUSEHOLD OF LIKE SIZE; AND

(II) AT LEAST 40% OF THE UNITS ARE SET ASIDE FOR HOUSEHOLDS WITH A GROSS ANNUAL INCOME OF NOT MORE THAN 60% OF THE AREA MEDIAN INCOME FOR A HOUSEHOLD OF LIKE SIZE;

(2) THE AFFORDABLE SET-ASIDES REQUIRED UNDER ITEM (1) OF THIS SECTION REMAIN RESTRICTED AT ELECTED LEVELS FOR AT LEAST 99 YEARS; AND

(3) THE PROJECT REMAINS IN PUBLIC OWNERSHIP.

4-2904.

BEFORE DRAWING DOWN ANY PROGRAM FUNDS, A LOCAL HOUSING AUTHORITY SHALL:

(1) PROVIDE EVIDENCE SATISFACTORY TO THE DEPARTMENT THAT THE PROGRAM FUNDS WILL BE MATCHED BY THE LOCAL HOUSING AUTHORITY ON A DOLLAR-FOR-DOLLAR BASIS; AND

(2) MEET OTHER PROGRAM CRITERIA ADOPTED BY THE SECRETARY.

4-2905.

THE DEPARTMENT SHALL:

(1) COORDINATE WITH LOCAL HOUSING AUTHORITIES TO ENSURE ACCESS TO OTHER FINANCIAL RESOURCES, INCLUDING SENIOR DEBT PRODUCTS; AND

(2) DEVELOP NEW RESOURCES IN SUPPORT OF STATEWIDE HOUSING PRODUCTION.

4-2906.

(A) A LOCAL HOUSING AUTHORITY SHALL PROVIDE A DOLLAR-FOR-DOLLAR MATCH FOR PROGRAM FUNDS AWARDED TO HOUSING INNOVATION PROJECTS UNDER THIS SUBTITLE.

(B) IN ADMINISTERING THE PROGRAM, THE DEPARTMENT SHALL TAKE INTO CONSIDERATION THE NEED FOR INCREASED DEVELOPMENT CAPACITY WITHIN LOCAL HOUSING AUTHORITIES.

4-2907.

IN ADMINISTERING THE PROGRAM, THE DEPARTMENT SHALL PRIORITIZE FUNDING FOR PROJECTS THAT:

(1) DO NOT USE LOW-INCOME HOUSING TAX CREDIT EQUITY OR TAX-EXEMPT VOLUME CAP; AND

(2) COMMIT TO PREVAILING WAGE REQUIREMENTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023. It shall remain effective for a period of 5 years and, at the end of June 30, 2028, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.



# SENATE BILL 81

K3

3lr0320

(PRE-FILED)

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By: **Senator Waldstreicher**

Requested: August 26, 2022

Introduced and read first time: January 11, 2023

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – State Minimum Wage Rate – Acceleration**  
3 **(Fight for Fifteen Acceleration Act of 2023)**

4 FOR the purpose of increasing the State minimum wage rate changes in effect for certain  
5 periods of time; repealing the authority of the Board of Public Works to temporarily  
6 suspend an increase to the State minimum wage rate; and generally relating to the  
7 State minimum wage rate.

8 BY repealing and reenacting, with amendments,  
9 Article – Labor and Employment  
10 Section 3–413  
11 Annotated Code of Maryland  
12 (2016 Replacement Volume and 2022 Supplement)

13 BY repealing  
14 Article – Labor and Employment  
15 Section 3–413.1  
16 Annotated Code of Maryland  
17 (2016 Replacement Volume and 2022 Supplement)

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

20 **Article – Labor and Employment**

21 3–413.

22 (a) (1) In this section the following words have the meanings indicated.

23 (2) “Employer” includes a governmental unit.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(3) “Small employer” means an employer that employs 14 or fewer employees.

(b) Except as provided in subsection (d) of this section and [§§ 3–413.1 and 3–414] ~~§ 3–414~~ of this subtitle, each employer shall pay:

(1) to each employee who is subject to both the federal Act and this subtitle, at least the greater of:

(i) the minimum wage for that employee under the federal Act; or

(ii) the State minimum wage set under subsection (c) of this section; and

(2) to each other employee who is subject to this subtitle, at least the greater of:

(i) the highest minimum wage under the federal Act; or

(ii) the State minimum wage set under subsection (c) of this section.

(c) (1) [Subject to § 3–413.1 of this subtitle and except] **EXCEPT** as provided in paragraph (2) of this subsection, the State minimum wage rate is[:

(i) for the 12–month period beginning July 1, 2017, \$9.25 per hour;

(ii) for the 18–month period beginning July 1, 2018, \$10.10 per hour;

(iii) for the 12–month period beginning January 1, 2020, \$11.00 per hour;

(iv) for the 12–month period beginning January 1, 2021, \$11.75 per hour;

(v) for the 12–month period beginning January 1, 2022, \$12.50 per hour;

(vi) for the 12–month period beginning January 1, 2023, \$13.25 per hour;

(vii) for the 12–month period beginning January 1, 2024, \$14.00 per hour; and

(viii) beginning January 1, 2025,] \$15.00 per hour.

(2) [Subject to § 3–413.1 of this subtitle, the] **THE** State minimum wage rate for a small employer is:

(i) [for the 18–month period beginning July 1, 2018, \$10.10 per hour;

(ii) for the 12–month period beginning January 1, 2020, \$11.00 per hour;

(iii) for the 12–month period beginning January 1, 2021, \$11.60 per hour;

(iv) for the 12–month period beginning January 1, 2022, \$12.20 per hour;

(v) for the 12–month period beginning January 1, 2023, \$12.80 per hour;

(vi)] for the 12–month period beginning [January 1, 2024] **JULY 1, 2023**, \$13.40 per hour; **AND**

[(vii) for the 12–month period beginning January 1, 2025, \$14.00 per hour;

(viii) for the 6–month period beginning January 1, 2026, \$14.60 per hour; and

(ix)] **(II)** beginning July 1, [2026] **2024**, \$15.00 per hour.

(d) An employer may pay an employee a wage that equals a rate of 85% of the State minimum wage established under this section if the employee is under the age of 18 years.

[3–413.1.

(a) In this section, “Board” means the Board of Public Works.

(b) (1) Subject to subsection (d) of this section and except as provided in paragraph (2) of this subsection, on or before October 1, 2020, and October 1 each year thereafter until October 1, 2024, the Board shall determine whether the seasonally adjusted total employment from the Current Employment Statistics series as reported by the U.S. Bureau of Labor Statistics for the most recent 6–month period is negative as compared with the immediately preceding 6–month period.

(2) The Board is not required to make a determination under paragraph (1) of this subsection if the Board has previously temporarily suspended an increase to the

1 minimum wage rate specified under § 3–413(c) of this subtitle.

2 (c) (1) Subject to subsection (d) of this section, the Board may temporarily  
3 suspend an increase to the minimum wage rate specified under § 3–413(c) of this subtitle  
4 if the Board determined under subsection (b)(1) of this section that the seasonally adjusted  
5 total employment is negative.

6 (2) If the seasonally adjusted total employment is negative, the Board may  
7 consider the performance of State revenues in the previous 6 months, as reported by the  
8 Office of the Comptroller, in determining whether to temporarily suspend an increase to  
9 the minimum wage rate specified under § 3–413(c) of this subtitle.

10 (d) The Board may temporarily suspend an increase to the minimum wage rate  
11 under subsection (c)(1) of this section only one time.

12 (e) If the Board temporarily suspends an increase to the minimum wage rate  
13 specified under § 3–413(c) of this subtitle:

14 (1) the minimum wage rate in effect for the period beginning the following  
15 January 1 shall remain the same as the rate that was in effect for the immediately  
16 preceding 12–month period;

17 (2) the remaining minimum wage rates specified in § 3–413 of this subtitle  
18 shall take effect 1 year later than the date specified;

19 (3) the Board shall notify the Commissioner that the minimum wage rate  
20 increase for the period beginning the following January 1 is suspended for 1 year; and

21 (4) a rate increase under §§ 7–307, 16–201.3, and 16–201.4 of the  
22 Health – General Article for the immediately following fiscal year may not go into effect.]

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
24 1, 2023.

# SENATE BILL 11

R5

3lr1082

(PRE-FILED)

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By: **Senator Sydnor**

Requested: November 15, 2022

Introduced and read first time: January 11, 2023

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Speed Limits – School Zones**

3 FOR the purpose of altering the radius around certain schools within which a school zone  
4 may be established and speed monitoring systems may be placed and used; and  
5 generally relating to the enforcement of speed limits in school zones.

6 BY repealing and reenacting, with amendments,  
7 Article – Transportation  
8 Section 21–803.1 and 21–809(a)(7)  
9 Annotated Code of Maryland  
10 (2020 Replacement Volume and 2022 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article – Transportation  
13 Section 21–809(a)(1) and (8) and (b)(1)(vi)2.  
14 Annotated Code of Maryland  
15 (2020 Replacement Volume and 2022 Supplement)

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

18 **Article – Transportation**

19 21–803.1.

20 (a) (1) Subject to subsection (f) of this section, within a [half-mile]  
21 **0.1-MILE** radius of any school, the State Highway Administration or a local authority:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(i) May establish a school zone and maximum speed limits applicable in the school zone; and

(ii) Subject to subsection (d) of this section, may provide that fines are to be doubled for speeding violations within the school zone.

(2) (i) The State Highway Administration may establish a school zone under paragraph (1) of this subsection on any State highway or, at the request of a local authority, on any highway under the jurisdiction of the local authority.

(ii) A local authority may establish a school zone under paragraph (1) of this subsection on any highway under its jurisdiction.

(iii) In Prince George's County, a municipal corporation may establish a school zone under paragraph (1) of this subsection on any highway that:

1. Is not under State jurisdiction; and

2. Is located within the corporate limits of the municipal corporation.

(b) (1) On each highway where a school zone is established under this section, in accordance with specifications of the State Highway Administration, the State Highway Administration or local authority:

(i) Shall place signs designating the school zone; and

(ii) May place other traffic control devices, including timed flashing warning lights.

(2) The signs designating a school zone shall indicate the maximum speed limit applicable in the school zone.

(3) The local authority shall pay the State Highway Administration the cost of placing and maintaining signs and other traffic control devices on highways under the jurisdiction of the local authority when the State Highway Administration establishes the school zone at the local authority's request.

(4) In Prince George's County, a municipal corporation shall be responsible for the cost of placing and maintaining signs and other traffic control devices for a school zone that the municipal corporation establishes on a highway within its corporate limits.

(c) A maximum speed limit in a school zone established under this section is in effect when posted on appropriate signs giving notice of the limit.

(d) The fines for speeding in a school zone are double the amount that would otherwise apply if, in accordance with specifications adopted by the State Highway Administration:

(1) (i) A sign designating a school zone under this section is equipped with timed flashing warning lights and indicates that fines for speeding are doubled when the lights are activated; and

(ii) The lights are activated at the time the violation occurs; or

(2) A sign designating a school zone under this section indicates that fines for speeding are doubled during school hours.

(e) A person may not drive a motor vehicle at a speed exceeding the posted speed limit within a school zone established in accordance with subsection (d) of this section.

(f) In any school zone where a school crossing guard is posted to assist students in crossing a highway, the maximum speed limit may not exceed 35 miles per hour in the school zone during the hours posted on signs designating the school zone.

(g) A person convicted of a violation of subsection (e) of this section is subject to a fine not exceeding \$1,000.

21-809.

(a) (1) In this section the following words have the meanings indicated.

(7) "School zone" means a designated roadway segment within up to a [half-mile] **0.1-MILE** radius of a school for any of grades kindergarten through grade 12 where school-related activity occurs, including:

(i) Travel by students to or from school on foot or by bicycle; or

(ii) The dropping off or picking up of students by school buses or other vehicles.

(8) "Speed monitoring system" means a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

(b) (1) (vi) This section applies to a violation of this subtitle recorded by a speed monitoring system that meets the requirements of this subsection and has been placed:

2. In a school zone with a posted speed limit of at least 20 miles per hour;

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2   1, 2023.



# HOUSE BILL 57

Q2, Q1

3lr0859

(PRE-FILED)

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By: **Delegate Atterbeary**

Requested: November 17, 2022

Introduced and read first time: January 11, 2023

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax – Tax Sales – Requirement to Sell**

3 FOR the purpose of repealing certain limitations on the authority of certain local  
4 governments to set the time by which a property with taxes in arrears must be sold  
5 by the tax collector; and generally relating to tax sales of property.

6 BY repealing and reenacting, with amendments,

7 Article – Tax – Property

8 Section 14–808

9 Annotated Code of Maryland

10 (2019 Replacement Volume and 2022 Supplement)

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

13 **Article – Tax – Property**

14 14–808.

15 (a) (1) Except for property that has been transferred by a municipality or  
16 county to a land bank authority established under § 1–1403 of the Local Government  
17 Article, and except as provided under § 14–811 of this subtitle, the collector shall proceed  
18 to sell and shall sell under this subtitle, at the time required by local law [but in no case,  
19 except in Baltimore City, later than 2 years from the date the tax is in arrears], all property  
20 in the county in which the collector is elected or appointed on which the tax is in arrears.

21 (2) [The collector is required to sell, but failure] **FAILURE** of the collector  
22 to sell within the [2–year period] **TIME REQUIRED BY LOCAL LAW** does not affect the  
23 validity or collectability of any tax, or the validity of any sale thereafter made.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (b)     In Calvert County the collector shall proceed to advertise and sell any real  
2 property [immediately after the tax is delinquent for a period of 1 year] **AS REQUIRED BY**  
3 **LOCAL LAW.**

4           (c)     In St. Mary's County, the Board of County Commissioners shall set by  
5 resolution the date and time of a tax sale.

6           (d)     In Garrett County, the Board of County Commissioners shall set by resolution  
7 the date and time of a tax sale.

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
9 1, 2023.

# HOUSE BILL 133

D1  
HB 647/22 – JUD

3lr0766

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By: **Delegates Moon and Williams**

Introduced and read first time: January 13, 2023

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Court Proceedings – Remote Public Access and Participation**

3 FOR the purpose of requiring each court in the State to provide remote audio–visual public  
4 access to all public court proceedings; authorizing remote participation in a court  
5 proceeding by a nonparty; providing for the reporting and resolution of the  
6 malfunctioning of an audio–visual public access system; and generally relating to  
7 remote access to and participation in court proceedings.

8 BY repealing and reenacting, without amendments,  
9 Article – Courts and Judicial Proceedings  
10 Section 1–101(a) and (c)  
11 Annotated Code of Maryland  
12 (2020 Replacement Volume and 2022 Supplement)

13 BY adding to  
14 Article – Courts and Judicial Proceedings  
15 Section 1–206  
16 Annotated Code of Maryland  
17 (2020 Replacement Volume and 2022 Supplement)

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

20 **Article – Courts and Judicial Proceedings**

21 1–101.

22 (a) In this title the following words or terms have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(c) “Court” means the Court of Appeals, Court of Special Appeals, circuit court, and District Court of Maryland, or any of them, unless the context clearly requires a contrary meaning. It does not include an orphans’ court, or the Maryland Tax Court.

**1–206.**

**(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EACH COURT IN THE STATE SHALL PROVIDE CONTEMPORANEOUS REMOTE AUDIO–VISUAL PUBLIC ACCESS TO ALL PUBLIC COURT PROCEEDINGS THROUGH AN AUDIO–VISUAL PUBLIC ACCESS SYSTEM.**

**(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A PROCEEDING THAT IS DEEMED CLOSED, CONFIDENTIAL, OR RESTRICTED BY FEDERAL OR STATE LAW.**

**(3) UNLESS THERE IS AN OVERRIDING PUBLIC INTEREST COMPELLING DISCLOSURE, A PRESIDING JUDGE MAY PROHIBIT THE BROADCAST OF ANY PORTION OF A PROCEEDING ON THE REQUEST OF ANY PARTY, WITNESS, OR COUNSEL INVOLVED IN THE PROCEEDING.**

**(B) ON THE REQUEST OF COUNSEL AND FOR GOOD CAUSE SHOWN, A PRESIDING JUDGE MAY AUTHORIZE THE USE OF THE COURT’S AUDIO–VISUAL PUBLIC ACCESS SYSTEM TO ALLOW AN INDIVIDUAL WHO IS NOT A PARTY TO A PROCEEDING TO PARTICIPATE IN THE PROCEEDING REMOTELY, INCLUDING BY SPEAKING ON THE RECORD OR OFFERING TESTIMONY.**

**(C) (1) EACH COURT IN THE STATE SHALL DESIGNATE A PERSON OR PERSONS TO RECEIVE AND RESPOND TO REPORTS DURING COURT PROCEEDINGS THAT THE COURT’S AUDIO–VISUAL PUBLIC ACCESS SYSTEM IS MALFUNCTIONING.**

**(2) THE CONTACT INFORMATION, INCLUDING TELEPHONE NUMBER AND E–MAIL ADDRESS, FOR THE PERSON OR PERSONS DESIGNATED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PUBLISHED ON THE COURT’S WEBSITE.**

**(3) ON REPORT OF ANY MALFUNCTION OF THE AUDIO–VISUAL PUBLIC ACCESS SYSTEM, THE PERSON OR PERSONS RESPONSIBLE FOR THE SYSTEM SHALL WORK EXPEDITIOUSLY TO RESOLVE THE MALFUNCTION.**

**SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.**

January 24, 2023

The Honorable Michael A. Jackson, Chair  
Prince George's County Senate Delegation  
3 West Miller Senate Office Building  
11 Bladen Street  
Annapolis, Maryland 21401-1991

The Honorable Nick Charles, Chair  
Prince George's County House Delegation  
Lowe House Office Building, Room 207  
Annapolis, Maryland 21401-1991

Re: **2023 Prince George's County General Assembly Legislative Priorities**

Dear Senator Jackson and Delegate Charles:

As we continue to rebound from the COVID-19 pandemic, we must ensure that we are doing all we can to keep our communities growing, thriving, and realizing their potential. As we have over the last four years, the Alsobrooks Administration, the County Council, and our partner agencies throughout the County, working with the State of Maryland, will continue to pursue the following legislative agenda during the 2023 Maryland General Assembly Session. We look forward to working with you to advocate for these priorities and ultimately help foster an even prouder and more robust Prince George's County.

Leaning on the power of true partnership, we plan to work together to secure a level of common good, a better quality of life, and an expansion of opportunity for all residents, not limited to certain zip codes or neighborhoods. Prince George's County looks to build on these partnerships that were strengthened in 2022 and work collaboratively to deliver on priorities that will enhance the lives of the nearly 1,000,000 residents who call Prince George's County home.

### **Transportation**

***Blue Line Corridor*** –This transformational development effort stretches from the D.C. line, down Route 214 into downtown Largo. During the 2022 General Assembly, working with both the Governor, the Presiding Officers, and our State Delegation, we were able to secure \$400.0M in bonding authority for this vital corridor. We will be seeking an additional \$42.5M to continue the reimagining of Downtown Largo and Arena Drive, and the creation of residential, retail, and commercial parcels to maximize the potential of this corridor. This funding will support the completion of the Central Avenue Connector Trail, creation of key road access and infrastructure additions, bike lanes and walk paths, and structural improvements to create developable parcels. Building on previous state investments along this corridor will enhance our ability to maximize access from Central Avenue into districts generated by this area.

***Revitalization of the Downtown New Carrollton Metro Station*** – A major project in need of state capital funding is the development of the New Carrollton Metro Station. The County is seeking \$56.3M for the redevelopment of this site to create a new transit hub in Prince George's County that will connect Maryland to Washington, D.C. and major cities along the East Coast. The requested funds will include needed pedestrian safety and multimodal road infrastructure improvements, critical environmental and stormwater infrastructure, and the ability to leverage federal grants for the modernization of the train station.

***Cheverly Hospital Demolition Funding*** – The demolition of the former hospital site presents an incredible opportunity to bring significant community benefit to the gateway to Maryland, the Town of Cheverly, broader Prince George's County, and the State of Maryland through delivering housing, creating opportunities for residents to age in place, and preserving communities. Providing the \$18.0M in funding for this demolition project makes way for over \$1 billion in development. Given the large institutional use of the property, assistance to defray the cost of demolition at the site would enhance the success of timing for delivery of this catalytic project.

***Road Safety*** – Several road projects are critical to achieving the Vision Zero Prince George's multimodal enhancements on State-maintained roadways to improve vehicle and pedestrian safety along our roadways. We must continue to advocate for funding that will help improve safety, including additional interchanges and protected bicycle lanes along Route 210 and widening Maryland 197 between Route 50 and Route 450. In addition, we will seek funding targeted in the Prince George's County High Injury Network (HIN), which encompasses one-mile segments of roads with the greatest severity of bike and pedestrian crashes. Each of the HIN corridors are located within Equity Emphasis Areas (Metropolitan Washington Council of Governments) with most crashes occurring in urban areas reflecting higher concentrations of low-income and minority populations.

***Transit-Oriented Development (TOD)*** – Key to the growth of Prince George's County is our unified effort to continue moving forward on our vision of transit-oriented development centered around our transportation hubs. The County's proposed projects for the State CTP include funding for Medical Center Drive Interchange/Blue Line Corridor improvements to further enhance the areas surrounding the University of Maryland Regional Medical Center, the new downtown Largo, and the Blue Line Corridor; for a smooth and efficient system for delivery of the Central Avenue (MD 214) Complete Streets; for key developments to attract the Federal Bureau of Investigations (FBI) Headquarters including the I-95/Greenbelt Metro Access and Landover improvements; and for the realigning of the State list to be consistent with County plans as well as aggressively advancing projects at all TOD's including Greenbelt, New Carrollton, Branch Avenue and the Largo/Blue Line Corridor. We must also ensure that in addition to these projects, we also continue to advocate for funding for the expeditious completion of the Purple Line project; progress on the Southern Maryland Rapid Transit project; the transition of TheBus, the independent County-operated transit system, to Zero Emission Buses and a new LEED certified facility; the continual funding of the Prince George's County Bus Rapid Transit (BRT); and a multitude of vital projects on State roads and highways, especially MD 223 Piscataway Road/Woodyard Road (MD 4 to Steed Road), where the County is requesting \$5.0M for the widening of MD 223 at the intersection with Brandywine Road/Old Branch Avenue. These projects will work in conjunction to make the County safer, more pedestrian friendly, and more suitable for future development.

### **Economic Development and Housing**

As we continue to recover from the COVID-19 pandemic, we must continue to ensure that residents, businesses, and institutions in Prince George's County are competitive across the State and region and have the opportunity to grow in our County. Growing the commercial tax base in Prince George's County is a top priority. During the 2023 Legislative Session, we must advocate for opportunities to bring economic growth and stimulation to our County. This year we are going to Annapolis to secure needed funds to revitalize our downtowns and build critical mass transportation, road, and pedestrian safety infrastructure, as well as funding for local road maintenance and aligning our regulations with regional competition to ensure the County is viable for business and fertile for development. These projects ensure Prince George's County has economic development opportunities across the entirety of our County that allow us to widen our commercial tax base, grow our population and strengthen our economy.

***Affordable Housing*** – To support the County's Equitable Economic Growth Vision and achieve the affordable housing preservation and production goals of our Economic Development agenda, our Housing Department recommends investments that will deepen our ability to provide affordable housing to low-income residents. To accomplish this, we have already launched our Right of First Refusal (ROFR) program that allows the County, working with non-profits, to protect rental households at risk of displacement from their homes. We will be seeking an additional \$15.0M from the state to help fund this program. In addition, we are seeking the creation of two new funds to ensure that as our County continues to grow in population, wealth, and development, our residents can afford to stay in their neighborhoods and enjoy their community's new amenities. The first fund is a \$25.0M Affordable Homeownership Fund for the development of new affordable homes for households earning up to 80% of Area Median Income (AMI). The second is a \$25.0M Low Access Rental Housing Fund to expand the creation of new, affordable, mixed-income rental units for households earning between 50% and 30% of AMI, which are identified as the most vulnerable households at risk of displacement or homelessness. These state funds enable the County to move forward with our goal of protecting, preserving, and producing the types of housing stock we envision, ones that fulfill our vision to develop our County without displacing our residents.

### **Healthcare**

***Mental Healthcare Delivery*** – The COVID-19 pandemic has exacerbated the health disparities that already existed in our County. As we continue to recover from the pandemic, we must do all we can to ensure that our residents have access to equitable and quality healthcare. An immediate need is the expansion of crisis and mental healthcare services. We are seeking \$2.0M for the expansion of Mobile Crisis Teams who perform vital crisis intervention and stabilization services for those in our community who have emergencies that are not suitable for a law enforcement response and ensure that the mental health and safety of residents are prioritized in law enforcement engagement. We will also be seeking \$5.0M in funding for operating costs of a Crisis Stabilization Center. Prince George's County plans to open its first crisis stabilization center in 2023. The expansion of these operating funds will ensure the center can remain effective.

***Telehealth Services*** – We will advocate for \$3.5M in state funding for School Telehealth Grants that our Health Department needs to continue its partnership with Prince George's County Public Schools in creating a public health utility via a pediatric telehealth network. The project will install telehealth equipment in HIPAA-compliant space in schools and in customized mobile vans that will circulate among the campuses of schools that lack the physical space that can be converted for telehealth use. These investments will maintain services including telehealth services, referral network, and maintenance and staffing of telehealth vans.

### **Community Investments**

***Environment and Water Infrastructure*** – Securing our promise of safe and healthy communities involves our environment, ensuring we have clean air and waterways, comprehensive waste diversion, and mitigation tools to combat the negative effects of climate change. We will advocate for additional resources to build the necessary stormwater mitigation infrastructure to create comprehensive flooding solutions. We will seek to target those resources through the lens of environmental justice in areas that have been historically overlooked and underfunded, including communities with failing water infrastructure that are currently coping with historic flooding. We will advocate for \$12.0M to create a fund for flood mitigation projects in areas identified by the State's Environmental Justice (EJ) Tool, having an EJ burden of 80% or greater to alleviate the flooding and water quality impacts. Additionally, we will be advocating for \$1.4M for stormwater mitigation feasibility studies to ensure that future areas of development are designed to withstand a 100-year flood, which are becoming more common.

***Public Safety & Correctional Services*** – We must make safe communities a priority, which includes not simply reducing crime, but investing in a holistic criminal justice system that is truly just. While the County is undeniably a safer and more attractive place to live, work, and visit, we will continue our efforts to increase the resources that are available for County agencies to reduce and prevent crime. In addition to curbing crime in our communities, we are also seeking \$500.0K in funding to ensure that we have the resources to support the formerly incarcerated members of our community and reduce rates of recidivism through our Re-Entry Employment Incentive Program, moving towards a system that focuses on reformation, not simply incarceration. Also, we will seek \$1.0M in funding for our Violence Interrupter Program, an anti-violence initiative that supports community-based efforts to reduce incidents of violence within the County. Additionally, we are seeking \$4.5M in funding for grants to be made available to non-profits in Prince George's County to expand vital out of school programming for our youth. We have seen that with an uptick in crimes being committed by juveniles, there is a need for more support for afterschool programming and services. This funding would allow the County to expand those services by aiding the non-profits that provide those needed services.

### **Additional Priorities**

Additionally, we will support the \$244.0M request from Bowie State University for the construction of a new Student Center and Campus Library, and the \$21.0M request from the Alzheimer's Association to eliminate the statewide waitlist for the Senior Care Program to aid our seniors in receiving vital care. We are also supportive of the legislative priorities of the Maryland Association



## 2023 Prince George's County General Assembly Legislative Priorities

Page 5

of Counties as they strive to strengthen all counties across our State. And in an effort to further the availability of vital healthcare services in the County, we support the \$30.0M request from Luminis Health Doctors Community Medical Center to expand obstetrics and pre-conception through post-partum care services, creating a comprehensive women's health hub to address significant health disparities for residents here in Prince George's County.

Over the last four years, we have worked collaboratively to achieve much success on behalf of the residents of Prince George's County, including bringing back historic funding and resources for our residents while advocating for the passage of legislation that allows our County to continue to move forward. As we move forward together, we understand that the collective support for our youth, care for our seniors, stewardship of our environment, support and protection for our communities, growth in our economy, and increased affordability in our housing market are objectives we all share. We look forward to continuing in unity to secure our promise and deliver results for Prince Georgians.

Always Prince George's Proud,

Angela D. Alsobrooks  
County Executive

Thomas E. Dernoga  
County Council Chair

cc: Governor Westley Moore  
Hon. Bill Ferguson, Senate President  
Hon. Adrienne A. Jones, Speaker, House of Delegates  
Members, Prince George's Senate Delegation  
Members, Prince George's House Delegation  
Council Members, Prince George's County Council  
Tara Jackson, Chief Administrative Officer, Office of the County Executive  
Joy Russell, Chief of Staff, Office of the County Executive  
John Erzen, Deputy Chief of Staff, Office of the County Executive  
Ron Young, Legislative Director, Office of the County Executive  
Delora Sanchez Ifekauche, Cornerstone Government Affairs  
Marverly Nettles-Simpson, Committee Director, Prince George's County Council