



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, November 29, 2022

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland at 10:34 a.m. on Tuesday, November 29, 2022.

### PRESENT

Councilmember Gabe Albornoz, President	Councilmember Evan Glass, Vice President
Councilmember Andrew Friedson	Councilmember Tom Hucker
Councilmember Will Jawando	Councilmember Sidney Katz
Councilmember Nancy Navarro	Councilmember Craig Rice
Councilmember Hans Riemer	

The President in the Chair.

Mr. Albornoz acknowledged the first responders who made the incredible rescue of a pilot and passenger from a plane that crashed into power lines near the Montgomery County Airpark and expressed appreciation to PEPCO for restoring power quickly.

### GENERAL BUSINESS

#### A. **Announcements** - Agenda and Calendar Changes

There were no agenda or calendar changes.

#### (1) B. **Acknowledgement** - [Receipt of Petitions](#)

No petitions were received this week.

#### C. **Action** - Approval of Minutes

Approved the minutes of September 20 and October 11, 18, and 27, 2022, and the closed session minutes of October 3, 10, and 25, 2022, without objection.

- (2) **WORKSESSION/ACTION** - [Amendment to the FY23-28 Capital Improvements Program and Special Appropriation #23-55 to the County Government's FY23 Capital Budget, Department of Transportation - Farm Women's Market Parking Garage Project \(No. 502316\), \\$1,468,000 \(Source of Funds: GO Bonds and Intergovernmental\)](#)

Mr. Riemer, Chair of the Planning, Housing, and Economic Development (PHED) Committee, reviewed the vision for this project and the work of the public/private partnership to transform this area into housing, a public park, and underground parking. Mr. Friedson acknowledged Mr. Riemer and former Councilmember Roger Berliner's work and the work of the State, municipal, and private sector partners to make this vision a reality in the Town of Chevy Chase.

Senior Analyst Orlin reviewed amendments approved yesterday by the joint PHED/Transportation and Environment (T&E) Committee as contained in the staff report for both the garage and the park project. He noted that the project description form shows \$100,000 annually for Planning, Design, and Supervision (PDS) costs, but that typically the Capital Improvements Program budget appropriates this charge only on a year-to-year basis, therefore the total special appropriation should be \$500,000 less, or \$8,932,000.

Adopted **Resolution 19-1456**, approving as amended the amendment to the FY23-28 CIP and subject Special Appropriation for the Farm Women's Market Parking Garage Project, in the amount of \$1,468,000.

The joint PHED/T&E Committee made the motion, which carried unanimously.

- (3) **WORKSESSION/ACTION** - [Amendment to the FY23-28 Capital Improvements Program and Special Appropriation #23-52 and Amendment to the County Government's FY23 Capital Budget, Maryland-National Capital Park and Planning Commission, Department of Parks, Bethesda Lots 10-24 Parks \(No. P872302\), \\$9,432,000 \(Source of Funds: Bethesda Park Impact Payment, State Aid, Intergovernmental\)](#)

As noted in the above item, the subject special appropriation should be \$500,000 less, in the amount of \$8,932,000.

Adopted **Resolution 19-1457**, approving the subject CIP amendment and special appropriation as amended, in the amount of \$8,932,000.

The joint PHED/T&E Committee made the motion, which carried unanimously.

- (4) **WORKSESSION/ACTION** - [Supplemental Appropriation to the County Government's FY23 Capital Budget and Amendment to the FY23-28 Capital Improvements Program \(CIP\), \\$9,500,000 for Bus Rapid Transit: US 29 Phase II \(Source of Funds: Development Impact Tax, State Aid\)](#)

Mr. Hucker, Chair of the T&E Committee, reviewed the Committee's recommendation in support of the Median Lane option, which would provide dedicated lanes for Bus Rapid Transit (BRT). Dr. Orlin reviewed the two options considered by the Committee: the Median Lane option and the Managed Lane option, as contained in the staff report.

Councilmembers expressed support for the project and Mr. Glass expressed the view that this is a visionary project that will set the stage for the East County and future BRT throughout the County.

Adopted **Resolution 19-1458**, approving the subject supplemental appropriation and CIP amendment in the amount of \$9,500,000 and reflecting the Median Lane option.

The T&E Committee made the motion which carried unanimously.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #33**

- (15) **Call of Bills for Final Reading:**

A. [Bill 13-22, Buildings - Comprehensive Building Decarbonization](#)

Mr. Riemer reviewed the intent of the Bill to move toward the use of clean electricity in buildings and to help meet the County's climate goals. He noted that the scope of the Bill is limited to new construction and does not include renovations.

Legislative Attorney Ndou reviewed amendments made by the PHED Committee which include exempting all-electric building standards from major renovations and additions, buildings used to treat sewage or food waste, commercial kitchen equipment in an eating and drinking establishment, and buildings used for farming and farm alcohol production. The Council supported these amendments without objection.

Mr. Glass in the Chair.

Mr. Albornoz offered a series of amendments to the Bill, as contained in the staff report beginning on page 4.

Supported Mr. Albornoz's motion to change the effective date to December 31, 2026, to match the effective date in place for Washington D.C., for all non-exempt buildings, as amended to include Mr. Riemer's suggestion to change the effective date for all residential buildings greater than four stories, affordable housing, and schools to December 31, 2027, without objection.

Supported without objection Mr. Albornoz's motion to require the County Executive to submit a report to the County Council on the results of the Maryland Public Service Commission's study regarding the system capacity needs and investments required for an all-electric building code standard no later than September 30, 2024.

Supported without objection Mr. Albornoz's motion to include a waiver process for the use of alternative energy sources if the resulting building is carbon-neutral or net zero.

Supported without objection Mr. Albornoz's motion to change the regulations from Method (2) to Method (1), which requires approval from the County Council.

Supported Mr. Albornoz's motion to exempt gas fireplaces and outdoor grills from the regulations. Mr. Jawando, Mr. Hucker, and Mr. Glass were opposed, expressing the view that goes against the intent of the Bill and would give an exemption for wealthier residents to obtain an amenity.

Supported without objection Mr. Albornoz's motion to require the Department of Permitting Services to arrange for an annual audit that includes information on the number of applications submitted for new construction, the number of waivers granted, current electric rates for consumers, and an analysis of any alternative energy sources used.

Mr. Albornoz in the Chair.

Supported without objection Mr. Friedson's motion to add language to the Bill to reflect that the regulations may include additional exemptions not listed in section 8-14(D)(c) if all-electric buildings standards cannot be applied to a particular system or use due to practical difficulty or undue hardship.

Legislative Attorney Ndou noted the suggestion from Mr. Rice to have the Department of Permitting Services (DPS) and the Department of Environmental Protection (DEP) post information on their websites about state and federal programs that exist that may provide some financial relief to consumers. She said utility companies raised concerns about permitting and approval processes, and that the Council should be aware it may be necessary in the future to expedite these processes for certain energy infrastructure projects.

Councilmembers spoke in support of the Bill and the need for a greener energy grid and for collaboration with state and federal agencies to meet the County's climate and energy goals and expressed appreciation to community advocates and energy providers for their support.

Mr. Rice noted the importance for the next Council to ensure that these positive changes are equitable and accessible for all County residents, including those of lower socio-economic status.

Enacted draft #2 of **Bill 13-22**, as amended and shown at the end of these minutes.

Mr. Riemer made the motion and the Bill was enacted by a roll call vote:

YEAS: Katz, Jawando, Riemer, Huckler, Navarro, Rice, Friedson, Glass, Albornoz.

(5) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

Mr. Rice made the motion, which carried without objection.

- A. Adopted **Resolution 19-1459**, an Amendment to the County Government's FY23 Operating Budget Resolution 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Contract Award Status: Family Services, Inc., Identity, Inc., Manna Food Center, Inc., Flores Consulting, LLC.
- B. Adopted **Resolution 19-1460**, an Amendment to the County Government's FY23 Operating Budget Resolution 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Contract Award Status: The Primary Care Coalition of Montgomery County, Inc.
- C. Adopted **Resolution 19-1461**, an Amendment to the County Government's FY23 Operating Budget Resolution 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Contract Award Status: The Primary Care Coalition of Montgomery County, Inc., St. John's Norwood Episcopal Church, Germantown Cultural Arts Center, Inc. d/b/a BlackRock Center for the Arts, Access to Wholistic and Productive Living, Inc., Healing Our Village of Maryland, Inc., My Active Senior, Inc.
- D. Adopted **Resolution 19-1462**, an Amendment to the County Government's FY23 Operating Budget Resolution 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Contract Award Status: Greater DC Diaper Bank, Inc.

- E. Adopted **Resolution 19-1463**, an Amendment to the County Government's FY23 Operating Budget Resolution 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Contract Award Status: Community FarmShare, LLC.
- F. Adopted **Resolution 19-1464**, an Amendment to the County Government's FY23 Operating Budget Resolution 19-1285, Section G, FY23 Designation of Entities for Non-Competitive Contract Award Status: Housing Initiative Partnership, Inc. and Montgomery County Renters Alliance, Inc.
- G. Adopted **Resolution 19-1465** to approving the Extension of Executive Regulation 15-22, Transportation Services Improvement Fund Lead Sponsor: Council President on behalf of the County Executive.
- H. Adopted **Resolution 19-1466**, approving Executive Regulation 21-22, Sales Prices of Moderately Priced Dwelling Units - Revisions to Base Pricing Standards for At-Sale MPDUs.
- I. Adopted **Resolution 19-1467**, approving the Office of Legislative Oversight's (OLO) FY23 Work Program Supplement.
- J. Adopted **Resolution 19-1468**, confirming the County Executive's appointments to the Bethesda Urban Partnership Inc. Board of Directors: Mylene Ortiz Luis, Apoorva Gandhi, Evan Weisman.
- K. Adopted **Resolution 19-1469**, confirming the County Executive's appointments to the Domestic Violence Coordinating Council: Amy Palumbo, Michelle Maxberry, Kendall Stanley, Aanika Arjumand, Nicholas Augustine.
- L. Adopted **Resolution 19-1470**, confirming the County Executive's appointments to the Racial Equity and Social Justice Advisory Committee: Sonia Canzater, Jared Hautamaki, Tasnuva Khan, Jordan Neal, Izola Shaw.
- M. Adopted **Resolution 19-1471**, confirming the County Executive's appointment to the Commission on Health: Tara Clemons Johnson.
- N. Adopted **Resolution 19-1472**, confirming the County Executive's appointments to the Mid-County Citizens Advisory Board: Robert Fox, Norman Goldstein, Debra Liverpool-Nelson, Tameka Nicholson, Liza Smith.
- O. Adopted **Resolution 19-1473**, confirming the County Executive's appointment to the Commission on People with Disabilities: Candace Groudine.

- P. Adopted **Resolution 19-1474**, confirming the County Executive's appointment to the Upcounty Citizens Advisory Board: Kraig Walsleben.
- Q. Adopted **Resolution 19-1475**, confirming the County Executive's appointment to the Washington Suburban Transit Commission: Michael Goldman.
- R. Adopted **Resolution 19-1476**, confirming an appointment to the Policing Advisory Commission: Kristy Daphnis.

The Council recessed at 12:05 p.m. and reconvened at 1:01 p.m.

### **PRESENTATIONS**

- A. Proclamation presented by Councilmember Rice recognizing the 20<sup>th</sup> Anniversary of the BlackRock Center for the Arts
- B. Proclamation presented by Council President Albornoz and Councilmember Katz recognizing the retirement of Judge Patricia Mitchell

(6) **PUBLIC HEARING - [Expedited Bill 30-22, Buildings - Demolition or Removal](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on December 13, 2022.

(7) **PUBLIC HEARING - [Expedited Bill 31-22, Finance - Economic Development Fund - Small Business Innovation Research and Small Business Technology Transfer Matching Grant Program](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on November 29, 2022.

(8) **PUBLIC HEARING - [Expedited Bill 29-22, Local Laws - Updates to Required Numbers of Councilmember Votes](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on November 29, 2022.

- (9) **PUBLIC HEARING - [Declaration of No Further Need - Disposition via Transfer of a portion of Burtonsville Park and Ride Lot, located in Burtonsville, Maryland to First Equity Holdings](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on December 6, 2022.

- (10) **PUBLIC HEARING - [Declaration of No Further Need - Disposition via Transfer of certain properties in the White Flint area, located in North Bethesda, Maryland, to Stonebridge](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on December 6, 2022.

- (11) **PUBLIC HEARING/ACTION - [Supplemental Appropriation #23- 21 to the County Government's FY23 Capital Budget and Amendment to the FY23-28 Capital Improvements Program \(CIP\), Department of Correction and Rehabilitation \\$500,000 for Montgomery County Correctional Facility Sewer \(Source of Funds: GO Bonds\)](#)**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1477**, approving the subject supplemental appropriation and CIP amendment. Mr. Katz made the motion which carried without objection.

- (12) **PUBLIC HEARING/ACTION - [Declaration of No Further Need Disposition via Long-Term Lease of 14645 Rothgeb Drive, located in Rockville, Maryland, to CASA de Maryland](#)**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1478**, approving the subject Declaration of No Further Need. Ms. Navarro made the motion which carried without objection.

- (13) **PUBLIC HEARING/ACTION - [Declaration of No Further Need Disposition via Transfer of the abandoned portion of Walter Johnson Road, located in Germantown, Maryland, to Lidl US, LLC](#)**



The public hearing was conducted and the record closed.

Adopted **Resolution 19-1479**, approving the subject Declaration of No Further Need. Mr. Rice made the motion which carried without objection.

- (14) **SUSPENSION OF RULES/PUBLIC HEARING/ACTION** - [Supplemental Appropriation to the County Government's FY23 Operating Budget, Institute for Intelligent and Immersive Computing for Science and Medicine Non-Departmental Account, \\$15,000,000 \(Source of Funds: General Fund Undesignated Reserves\)](#)

Approved the suspension of Rules of Procedure (Rule 4(b)) to allow the public hearing. Mr. Rice made the motion which carried without objection.

The public hearing was held and the record closed.

Supported without objection, Mr. Friedson's technical amended to change the name of the Institute for Intelligent and Immersive Computing for Life Science and Medicine to UM3 - Institute for Computing.

Adopted **Resolution 19-1480**, approving the subject supplemental appropriation. Mr. Friedson made the motion which carried without objection.

### **LEGISLATIVE SESSION - DAY #33** *(continued)*

(15) **Call of Bills for Final Reading:**

- A. [Expedited Bill 31-22, Finance - Economic Development Fund - Small Business Innovation Research and Small Business Technology Transfer Matching Grant Program](#)

Ms. Wellons, Senior Legislative Attorney, participated in the discussion.

Mr. Riemer, Chair of the PHED Committee, provided a summary of the Bill and reviewed the purpose of the Bill, which is to better support small business access to the Matching Grant Application program.

Supported without objection, Mr. Jawando's motion to amend the Bill by inserting the following language after line 44:

“The Director must report annually to the Council regarding demographic data, including the race, ethnicity, and gender, of the owners of eligible businesses, applicants, and awardees under the Program.”

Enacted draft #2 of **Bill 31-22**, as shown at the end of these minutes.  
Mr. Riemer made the motion, and the Bill was enacted by a roll call vote:

YEAS: Katz, Jawando, Riemer, Hucker, Navarro, Rice, Friedson, Glass,  
Albornoz.

B. [Expedited Bill 29-22, Local Laws - Updates to Required Numbers of Councilmember Votes](#)

Enacted draft #1 of **Bill 29-22**, as introduced. Mr. Glass made the motion, and the Bill was enacted by a roll call vote:

YEAS: Katz, Jawando, Riemer, Hucker, Navarro, Rice, Friedson, Glass,  
Albornoz.

(16) **WORKSESSION/ACTION - [Commitment Statement to Racial Equity and Social Justice](#)**

Ms. Singleton, Manager, Council Office of Racial Equity and Social Justice participated in the discussion.

Ms. Navarro framed the structural need for a commitment to Racial Equity and Social Justice.

Approved the Council's Commitment Statement to Racial Equity and Social Justice. Ms. Navarro made the motion which carried without objection.

**FAREWELL TO THE 19th COUNCIL**

Presented a video commemorating the achievements of Councilmembers Hucker, Navarro, Rice, and Riemer. Presented proclamations and gifts to outgoing Councilmembers.

The meeting adjourned at 4:31 p.m.

This is a correct copy of Council action:



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Judy Rupp  
Clerk of the Council

Bill No. 13-  
22[Click - type number]  
Concerning: Buildings – Comprehensive  
Building Decarbonization  
Revised: 11/29/2022[date]  
Draft No. 3[#]  
Introduced: June 14, 2022[date]  
Expires: December 23,  
2023[18 mos. after intro]  
Enacted: November 29,  
2022[date]  
Executive: [date signed]  
Effective: [date takes effect]  
Sunset Date: [date expires]  
Ch. [#] , Laws of Mont. Co. [year]

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: [Click - Type sponsor(s)]Councilmember Riemer  
Co-Sponsor: Councilmembers Jawando, Hucker

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**AN ACT** to:

- (1) require the County Executive to issue a building code by a certain date with “all-electric building” standards for new construction [[and major renovation]]; and
- (2) generally amend the building code.

By amending

Montgomery County Code  
Chapter 8, Buildings  
Article II, Administration  
[[Section 8-14C]]

And adding

Section 8-14D, Comprehensive Building Decarbonization

**Boldface**

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

\* \* \*

*Heading or defined term.*

*Added to existing law by original bill.*

*Deleted from existing law by original bill.*

*Added by amendment.*

*Deleted from existing law or the bill by amendment.*

*Existing law unaffected by bill.*

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

1           **Sec. 1. Section ~~[[8-14C]] 8-14D~~ is ~~[[amended]]~~ added as follows:**

2   **~~[[8-14C]] 8-14D. [RESERVED] Comprehensive Building Decarbonization.~~**

3           (a) *Definitions.* In this section, the following words have the meanings  
4           indicated:

5           [[Addition means construction of any new walled or roofed expansion to  
6           the perimeter of a building in which the addition is connected.]]

7           All-electric building means a public or private building that contains no  
8           combustion equipment, or plumbing for combustion equipment,  
9           installed within the building or building site.

10          Combustion equipment means any equipment or appliance used for  
11          space heating, service water heating, cooking, clothes drying and/or  
12          lighting that uses fuel gas or fuel oil.

13          [[Major renovation means any renovation where the work area exceeds  
14          50% or more of major structural components, including exterior walls,  
15          interior walls, floor area, roof structure, or foundation, or has an  
16          increase of 50% or more of floor area.]]

17          [[Major structural components means the structural components of the  
18          building, addition, or major renovation, namely the foundations,  
19          footings, supports, joists, bearing walls, subfloor, roof, structural  
20          columns, and beams.]]

21          New construction means the construction of any new stand-alone  
22          building, with no remnants of any prior structure or physical  
23          connection to existing structures or outbuildings on the property.

24          (b) *Standards.* The County Executive must issue ~~[[Method (2)]] Method~~  
25          (1) regulations to establish all-electric building standards for all new  
26          construction~~[[, major renovations, and additions]]~~ as part of the  
27          building code.

28           (1)    ~~[[These]]~~The regulations ~~[[may]]~~ must include a code  
 29                   modification ~~[[language]]~~ process. A code modification must  
 30                   only be granted if the resulting building is carbon-neutral or net-  
 31                   zero.

32           (2)    The regulations may include additional exemptions not listed in  
 33                   section 8-14D(c) if all-electric building standards cannot be  
 34                   applied to the system or use due to practical difficulty or undue  
 35                   hardship.

36           (c)    Exemptions. All-electric building standards do not apply to ~~[[new~~  
 37                   construction, major renovations, or additions in]]:

38                   (1)    the emergency backup systems of buildings that require an  
 39                   emergency system and hence backup power;

40                   (2)    buildings primarily used by a utility regulated by the Maryland  
 41                   Public Service Commission for the generation of electric power or  
 42                   steam;

43                   (3)    buildings used to treat sewage or food waste;

44                   (4)    ~~[[cooking appliances]]~~commercial kitchen equipment in an  
 45                   eating and drinking establishment that satisfies the requirements  
 46                   of Chapter 15;

47                   (5)    gas-powered fireplaces and gas-fired outdoor grills;

48                   ~~[[3]]~~(6)   applications for building permits submitted to the  
 49                   Department prior to the effective date of the regulation;

50                   ~~[[4]]~~(7)   district combined heat and powers facilities; and

51                   ~~[[5]]~~(8)   buildings used for the following uses, as defined in  
 52                   Chapter 59:

53                           (A)   Manufacturing and Production uses;

54                           (B)   Crematory;

55 (C) Life Sciences; [[and]]

56 (D) [[Commercial Kitchens]]Hospital; and[.]

57 (E) Farming and Farm Alcohol Production.

58 (d) Reports.

59 (1) The County Executive must submit a report to the County  
 60 Council regarding the system capacity needs and investments  
 61 required for an all-electric building code standard no later than  
 62 September 30, 2024, and not before December 1, 2023. This  
 63 report must include a review of any studies issued by the Public  
 64 Service Commission and should include information provided by  
 65 the utility companies that service Montgomery County.

66 (2) The Department of Permitting Services must arrange for an  
 67 annual audit that assesses a representative sample of new  
 68 construction that complies with this section. The audit must  
 69 include the number of applications submitted for new  
 70 construction, the number of waivers granted, current electric  
 71 rates for consumers, and an analysis of any alternative energy  
 72 sources used. A complete copy of the audit findings must be  
 73 submitted to the County Council on June 1 each year, beginning  
 74 June 1, 2028.

75 **Sec. 2. Effective Date.** The County Executive must issue all-electric building  
 76 standards for new construction[[], major renovation, and additions]] [[as part of the  
 77 County's next building code adoption cycle after this Act takes effect but not]] no  
 78 later than [[January 1, [[2024]]2025]] December 31, 2026.

79 **Sec. 3. All-Electric Transition.** Section 8-14C(b) of this Act must not apply  
 80 to building permit applications submitted before December 31, 2027, for: (1)  
 81 housing development projects where 50 percent or more of the dwelling units are

82 moderately priced dwelling units as defined by Chapter 25A, or a similar instrument  
83 with a federal, state, or local government for the creation or preservation of income-  
84 restricted or market-rate affordable housing[[, if the building permit application was  
85 submitted before January 1, 2026]]~~[[2027]]~~; [[or]] (2) public or private schools [[for  
86 which a building permit application was submitted before January 1, 2026]]~~[[2027]]~~;  
87 or (3) residential buildings with four or more stories.

88

*Approved:*

/s/ 12/2/2022  
Gabriel Albornoz, President, County Council Date

*Approved:*

\_\_\_\_\_  
Marc Elrich, County Executive Date

*This is a correct copy of Council action.*

\_\_\_\_\_  
Judy Rupp, Clerk of the Council Date



Expedited Bill No. 31-22  
Concerning: Finance – Economic  
Development Fund - Small Business  
Innovation Research and Small  
Business Technology Transfer  
Matching Grant Program  
Revised: 11/29/2022 Draft No. 2  
Introduced: November 1, 2022  
Enacted: November 29, 2022  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: \_\_\_\_\_  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Councilmembers Riemer, Jawando, and Friedson

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**AN EXPEDITED ACT** to:

- (1) alter the administration and eligibility requirements of the Small Business Innovation Research and Small Business Technology Transfer Matching Grant Program; and
- (2) generally amend the law regarding the Small Business Innovation Research and Small Business Technology Transfer Matching Grant Program and the Economic Development Fund.

By amending

Montgomery County Code  
Chapter 20, Finance  
Section 20-76E

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

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



- 27 (A) one County matching grant under this Program each year;
- 28 and
- 29 (B) a total of five County matching grants under this
- 30 Program.]

31 [(f)] (e) *Administration.*

- 32 (1) The Director must administer the Program.
- 33 (2) The Director must require a business to enter into an agreement
- 34 under Section 20-75(f), including an agreement to pay back any
- 35 grant payments received if:
  - 36 (A) the business does not remain in the County for a minimum
  - 37 time period specified in the agreement; or
  - 38 (B) the business uses the payment for an unauthorized
  - 39 purpose.
- 40 (3) [Grants must be awarded on a first-come, first-served basis.]
- 41 [(4)] An eligible business that does not receive a grant due to lack of
- 42 available funding may be awarded a grant in the following year.
- 43 [(5)] The Director must reserve 50% of the appropriated funds for
- 44 eligible businesses receiving a Phase I grant and 50% of the
- 45 appropriated funds for eligible businesses receiving a Phase II
- 46 grant.]
- 47 (4) The Director must report annually to the Council regarding
- 48 demographic data, including the race, ethnicity, and gender of
- 49 the owners of eligible businesses, applicants, and awardees under
- 50 the Program.

51 [(g)] (f) *Sunset.* This Section is not effective after July 1, 2025.

52           **Sec. 2. Expedited Effective Date.** The Council declares that this legislation  
 53 is necessary for the immediate protection of the public interest. This Act takes effect  
 54 on the date on which it becomes law.

*Approved:*

/s/	12/2/2022
Gabriel Albornoz, President, County Council	Date

*Approved:*

Marc Elrich, County Executive	Date
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*This is a correct copy of Council action.*

Judy Rupp, Clerk of the Council	Date
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