

# Climate Assessment

Office of Legislative Oversight

**Expedited  
Bill 23-24:**

**Contracts and Procurement – Minority Owned  
Business Purchasing Program – Extension  
Sunset Date**

## SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 23-24 will have no impact as the bill seeks to extend an existing County program that does not have an impact on the County’s contribution to addressing climate change.

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## BACKGROUND AND PURPOSE OF EXPEDITED BILL 23-24

The County’s Minority, Female and Disabled-Owned (MFD) Businesses Program “assists certified minority firms in gaining access to prime contractor and subcontractor opportunities with County government agencies.”<sup>1</sup> Towards this end, the program establishes goals for MFD participation in the purchasing categories of construction, professional services, non-professional services, and goods.<sup>2</sup> The program was established “to remedy the effects of discrimination on minority owned businesses,” as stated in County law.<sup>3</sup> The MFD Program has been in place for over 25 years.<sup>4</sup>

County law includes a sunset date for the Minority, Female, and Disabled-Owned (MFD) Businesses Purchasing Program and requires the Office of Procurement to evaluate the need to extend the program.<sup>5</sup> In September 2024, the County released the 2024 Disparity Study, which found disparities in County procurement.

According to the study, “[t]he findings underscore the need for targeted efforts to address these disparities and promote equitable opportunities for M/FBEs in Montgomery County’s contracting activities.” Expedited Bill 23-24 would extend the sunset of the County’s MFD law by five years—from December 31, 2024, until December 31, 2029. The bill would require the Director of Procurement to complete a new disparity study by July 1, 2029.<sup>6</sup>

The Council introduced Expedited Bill 23-24, Contracts and Procurement – Minority Owned Business Purchasing Program – Extension of Sunset Date, on October 15, 2024

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## ANTICIPATED IMPACTS

OLO anticipates Expedited Bill 23-24 will have no impact as the bill seeks to extend an existing County program that does not have an impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

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## RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.<sup>7</sup> OLO does not offer recommendations or amendments as Expedited Bill 23-24 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

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## CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

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## PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptative capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

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## CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

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<sup>1</sup> [Minority, Female and Disabled-Owned Businesses \(MFD\) Program](#), Office of Procurement.

<sup>2</sup> Ibid.

<sup>3</sup> Montgomery County Code § 11B-57

<sup>4</sup> [Introduction Staff Report for Bill 20-16](#), Montgomery County Council, May 13, 2016.

<sup>5</sup> Peña, Janmarie. OLO Racial Equity and Social Justice (RESJ) Statement for Bill 37-23. October 13, 2023. [Racial Equity and Social Justice Impact Statement for Expedited Bill 37-23 \(montgomerycountymd.gov\)](#)

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<sup>6</sup> Memorandum from Christine Wellons, Chief Legislative Attorney, to County Council. Bill 23-24: Contracts and Procurement – Minority Owned Business Purchasing Program – Extension of Sunset Date. October 10, 2024.

[https://montgomerycountymd.granicus.com/Viewer.php?view\\_id=169&event\\_id=16285&meta\\_id=184741](https://montgomerycountymd.granicus.com/Viewer.php?view_id=169&event_id=16285&meta_id=184741)

<sup>7</sup> Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022