

Bill No. 37-19  
Concerning: Economic Development  
Fund – Use of Fund and Remedies for  
Noncompliance  
Revised: 3/4/2021 Draft No. 5  
Introduced: December 3, 2019  
Enacted: March 16, 2021  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Councilmember Evan Glass  
Co-Sponsors: Councilmembers Riemer and Jawando

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**AN ACT** to:

- (1) require recipients of Economic Development Fund assistance to agree to certain terms and conditions regarding the use and repayment of the assistance;
- (2) alter eligibility requirements for the Small Business Innovation Research and Small Business Technology Transfer Matching Grants;
- (3) require the repayment to the County of Small Business Innovation Research and Small Business Technology Transfer Matching Grants in certain circumstances;
- (4) impose remedies related to the provision of false or fraudulent applications and the use of Fund assistance for unauthorized purposes; and
- (5) generally amend the law related to the Economic Development Fund.

By amending

Montgomery County Code  
Chapter 20, Finance  
Sections 20-75 and 20-76E

By adding

Chapter 20, Finance  
Section 20-76F

<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 (ii) fails to meet eligibility criteria and, if
- 28 applicable, performance criteria specified in
- 29 the written agreement; or
- 30 (iii) otherwise breaches the written agreement.

31 \* \* \*

32 (h) The requirements of subsection (f) do not apply to assistance from the

33 Fund if the Director determines that the assistance program does not

34 require program recipients to comply with any terms or conditions after

35 receipt of the assistance.

36 **20-76E. Small Business Innovation Research and Small Business Technology**

37 **Transfer Matching Grant Program.**

38 \* \* \*

39 (c) *Eligibility.* A business is eligible to receive the matching grant if the

40 business:

- 41 (1) has been awarded a SBIR or STTR Phase I or Phase II grant during
- 42 the current calendar year[ by the National Institutes of Health]to
- 43 conduct research in medicine, biotechnology, or life sciences; and
- 44 (2) conducts at least 51% of its research and development operations
- 45 at a physical location in the County.

46 \* \* \*

47 (f) Administration.

- 48 (1) The Director must administer the Program.
- 49 (2) The Director must require a business to enter into an agreement
- 50 under Section 20-75(f), including an agreement to pay back any
- 51 grant payments received if:



*Approved:*



3/17/2021

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Tom Hucker, President, County Council

Date

*Approved:*

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Marc Elrich, County Executive

Date

*This is a correct copy of Council action.*

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Selena Mendy Singleton, Esq., Clerk of the Council

Date