

HOUSE BILL 844

C8

5lr2157

By: **Delegates Branch, Barron, Brooks, Carter, C. Howard, Jones, Kipke, McCray, Morales, Morhaim, Oaks, Pena–Melnyk, B. Robinson, Rosenberg, Vaughn, M. Washington, and C. Wilson**

Introduced and read first time: February 13, 2015

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 2015

CHAPTER _____

1 AN ACT concerning

2 **Maryland Small Business Development Financing Authority – Small Business**
3 **Surety Bond Program**

4 FOR the purpose of increasing the maximum amount that the Maryland Small Business
5 Development Financing Authority may guarantee a surety under the Small Business
6 Surety Bond Program; increasing the maximum amount of certain bonds that the
7 Financing Authority may execute and perform as a surety under its surety program;
8 and generally relating to the Maryland Small Business Development Financing
9 Authority.

10 BY repealing and reenacting, with amendments,
11 Article – Economic Development
12 Section 5–568 and 5–569
13 Annotated Code of Maryland
14 (2008 Volume and 2014 Supplement)

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

Article – Economic Development

18 5–568.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The Authority may guarantee a surety up to the lesser of 90% or **[\$1,350,000]**
2 **\$2,250,000** of its loss under a bid bond, payment bond, or performance bond on a contract
3 financed by the federal government, a state government, a local government, a private
4 entity, or a utility that the Public Service Commission regulates.

5 (b) The term of a guaranty under this part may not exceed the contract term,
6 including:

7 (1) the maintenance or warranty period required by the contract; and

8 (2) the period during which the surety may be liable for latent defects.

9 (c) The Authority may vary the terms and conditions of a guaranty based on:

10 (1) the Authority's history of experience with a surety; and

11 (2) any other factor the Authority considers relevant.

12 5-569.

13 (a) The Authority may execute and perform a bid bond, performance bond, and
14 payment bond as a surety for the benefit of a principal in connection with a contract
15 financed by the federal government or a state government, a local government, a private
16 entity, or a utility regulated by the Public Service Commission.

17 (b) (1) This subsection does not apply if the sources of funding for the bonds
18 are grants.

19 (2) The bonds may not exceed **[\$1,000,000] \$2,500,000** each.

20 (c) Bonds are subject to the approval of the Authority based on the bond
21 worthiness of the principal.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2015.