

**BILL:** Senate Bill 26  
**TITLE:** Labor and Employment – Occupational Safety and Health – Revisions (Davis Martinez Public Employee Safety and Health Act)  
**HEARING DATE:** March 26 , 2025  
**POSITION:** UNFAVORABLE  
**COMMITTEE:** House – Appropriations  
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The Maryland Association of Boards of Education (MABE), representing all of the state’s local boards of education, respectfully opposes Senate Bill 26, **Labor and Employment – Occupational Safety and Health – Revisions (Davis Martinez Public Employee Safety and Health Act)**.

We appreciate the General Assembly’s commitment to safe and healthy environments for workers and students alike. We also want to express our gratitude for the amendments made to SB 26—particularly the removal of random inspections and quarterly reporting, which would have imposed even greater administrative burdens on school systems already stretched thin. We also fully support the principle within the bill that public entities should lead by example in creating safe and healthy workplaces.

However, **we are concerned about the imposition of fines on public school systems under this bill.** Every dollar diverted to pay a fine is a dollar that cannot be used to support student learning, in a time when schools across Maryland are already facing stark budget constraints.

We also respectfully **urge the General Assembly to consider whether such fines could run afoul of Article VIII, Section 3 of the Maryland Constitution, which requires that the State’s “School Fund of the State be kept inviolate and appropriated only to the purposes of education.”** We suggest reconsidering the application of financial penalties to public school systems in light of this constitutional protection.

Finally, while we appreciate the amended bill’s shift to allowing commissioner-approved self-inspection programs in place of random inspections, there is currently no detail provided about what such an approved program must include. This creates uncertainty and could lead to inconsistent implementation across jurisdictions. In addition, the requirement for annual self-inspections will still require additional time, funding, and staffing—resources that many school systems are already struggling to maintain.

Therefore, we respectfully urge an unfavorable report on Senate Bill 26. Thank you for your consideration.