

HOUSE BILL 1409

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9lr0216

By: **Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Introduced and read first time: February 25, 2009

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Work Contracts – Prevailing Wage – Application**

3 FOR the purpose of altering the threshold for excluding certain public work contracts
4 from the application of the prevailing wage law; and generally relating to the
5 application of the prevailing wage law.

6 BY repealing and reenacting, with amendments,
7 Article – State Finance and Procurement
8 Section 17–202
9 Annotated Code of Maryland
10 (2006 Replacement Volume and 2008 Supplement)

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

13 **Article – State Finance and Procurement**

14 17–202.

15 (a) This subtitle does not limit:

16 (1) the hours of work an employee may work in a particular period of
17 time; or

18 (2) the right of a contractor to pay an employee under a public work
19 contract more than the prevailing wage rate.

20 (b) This subtitle does not apply to:

21 (1) a public work contract of less than [~~\$500,000~~] **\$100,000**; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) the part of a public work contract for which the federal government
2 provides money if, as to that part, the contractor is required to pay the prevailing
3 wage rate as determined by the United States Secretary of Labor.

4 (c) If this subtitle and the federal Davis–Bacon Act apply and the federal act
5 is suspended, the Governor may declare this subtitle suspended for the same period
6 for:

7 (1) the part of that public work contract for which the United States
8 Secretary of Labor would have been required to make a determination of a prevailing
9 wage rate; or

10 (2) that entire public work contract.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2009.