

HOUSE BILL 1293

P2, J1

0lr2415

By: **Delegates Reznik, Barkley, Benson, Bromwell, Carr, Hucker, Levi, Manno, Montgomery, Olszewski, Tarrant, Taylor, and V. Turner**
Introduced and read first time: February 18, 2010
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Finance and Procurement – Public Works Contracts – Required Clause**

3 FOR the purpose of requiring certain public bodies to require certain public works
4 contracts to include a clause covering the obligation of contractors to certify that
5 not more than a certain percentage of employees receive certain medical
6 assistance; and generally relating to public works contracts.

7 BY adding to

8 Article – State Finance and Procurement

9 Section 17–701 and 17–702 to be under the new subtitle “Subtitle 7. Medical
10 Assistance Cost Savings for Public Works Contracts”

11 Annotated Code of Maryland

12 (2009 Replacement Volume)

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

15 **Article – State Finance and Procurement**

16 **SUBTITLE 7. MEDICAL ASSISTANCE COST SAVINGS FOR PUBLIC WORKS**
17 **CONTRACTS.**

18 **17–701.**

19 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
20 **INDICATED.**

21 **(B) “COVERED PROJECT” HAS THE MEANING STATED IN § 17–601 OF**
22 **THIS TITLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) “MARYLAND MEDICAL ASSISTANCE PROGRAM” HAS THE MEANING**
2 **STATED IN § 15-103 OF THE HEALTH – GENERAL ARTICLE.**

3 **(D) “PUBLIC BODY” MEANS:**

4 **(1) THE STATE;**

5 **(2) A COUNTY, MUNICIPAL CORPORATION, OR OTHER POLITICAL**
6 **SUBDIVISION OF THE STATE;**

7 **(3) A PUBLIC INSTRUMENTALITY; OR**

8 **(4) ANY GOVERNMENTAL UNIT AUTHORIZED TO AWARD A**
9 **CONTRACT.**

10 **(E) “PUBLIC WORKS CONTRACT” MEANS A CONTRACT FOR**
11 **CONSTRUCTION OF A COVERED PROJECT.**

12 **17-702.**

13 **BEFORE ENTERING INTO A PUBLIC WORKS CONTRACT, A PUBLIC BODY**
14 **SHALL REQUIRE THAT THE PUBLIC WORKS CONTRACT INCLUDE A CLAUSE**
15 **COVERING THE OBLIGATION OF A CONTRACTOR TO CERTIFY THAT NOT MORE**
16 **THAN 10% OF THE CONTRACTOR’S EMPLOYEES RECEIVE PUBLIC ASSISTANCE**
17 **THROUGH THE MARYLAND MEDICAL ASSISTANCE PROGRAM.**

18 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
19 **October 1, 2010.**