

# HOUSE BILL 1296

P2

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By: **Delegates Robinson, Glenn, and Oaks**

Introduced and read first time: February 18, 2010

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Living Wage – Nonprofit Organizations – Applicability**

3 FOR the purpose of providing that certain provisions regarding the living wage  
4 requirement for State contracts for services apply to contracts with nonprofit  
5 organizations; and generally relating to living wage requirements for State  
6 contracts.

7 BY repealing and reenacting, with amendments,  
8 Article – State Finance and Procurement  
9 Section 18–102  
10 Annotated Code of Maryland  
11 (2009 Replacement Volume)

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

14 **Article – State Finance and Procurement**

15 18–102.

16 (a) (1) This title applies to an employee of an employer for the duration of  
17 a contract subject to this title if at least one–half of the employee’s time during any  
18 workweek relates to a State contract for services or a subcontract for services under a  
19 State contract.

20 (2) This title does not apply to an employee of an employer if the  
21 employee:

22 (i) is 17 years of age or younger for the duration of a contract  
23 subject to this title; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) works less than 13 consecutive weeks for the duration of a  
2 contract subject to this title and during that period works full time.

3 (b) This title does not apply to a contract:

4 (1) for services needed immediately to prevent or respond to an  
5 imminent threat to public health or safety;

6 (2) with a public service company;

7 (3) [with a nonprofit organization;

8 (4)] between units; or

9 [(5)] (4) between a unit and a county or Baltimore City.

10 (c) If the unit responsible for a State contract determines that application of  
11 this title would conflict with any applicable federal program requirement, this title  
12 does not apply to the contract or program.

13 (d) The head of the unit responsible for a State contract subject to this title  
14 shall determine if contract services valued at 50% or more of the total value of the  
15 contract will be performed in the Tier 1 area or the Tier 2 area and shall provide that  
16 determination on the invitation for a bid.

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