

# HOUSE BILL 687

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By: **Delegates Adams, Krebs, Mautz, and W. Miller**

Introduced and read first time: February 5, 2016

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prevailing Wage – Payroll Records – Submission by Contractors**

3 FOR the purpose of requiring certain contractors on a public work contract to submit  
4 certain payroll records within a certain period of time; and generally relating to  
5 prevailing wage and payroll records submitted by contractors on a public work  
6 contract.

7 BY repealing and reenacting, with amendments,  
8 Article – State Finance and Procurement  
9 Section 17–220  
10 Annotated Code of Maryland  
11 (2015 Replacement Volume)

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

14 **Article – State Finance and Procurement**

15 17–220.

16 (a) Each contractor required to pay the prevailing wage rate shall:

17 (1) keep payroll records covering work performed directly at the work site  
18 in accordance with regulations adopted by the Commissioner; and

19 (2) allow the Commissioner or the public body to inspect the records at any  
20 reasonable time and as often as necessary.

21 (b) (1) **[Each] WITHIN 30 DAYS AFTER THE END OF EACH PAYROLL**  
22 **PERIOD, EACH** contractor shall submit a complete copy of the payroll records of the

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 contractor and, for work performed at the work site, of the subcontractors in the form that  
2 the Commissioner specifies by regulation to:

3 (i) the public body; and

4 (ii) the Commissioner.

5 (2) The Commissioner and the public body shall make payroll records  
6 available for public inspection during regular business hours.

7 (c) Each copy of the payroll records shall be accompanied by a statement that is  
8 signed by the contractor or, for the subcontractor's records, by the subcontractor and  
9 indicates that:

10 (1) the payroll records are correct;

11 (2) the wage rates paid are not less than those established by the  
12 Commissioner as set forth in the public work contract;

13 (3) the classification set forth for each employee conforms with the work  
14 performed by that employee; and

15 (4) the contractor or subcontractor has complied with each requirement of  
16 this subtitle.

17 (d) If a contractor is late in submitting copies of the payroll records required under  
18 subsection (b) of this section:

19 (1) the public body may postpone the processing of partial payment  
20 estimates under the public work contract pending receipt of the copies; and

21 (2) the contractor shall be liable to the public body for liquidated damages  
22 of \$10 for each calendar day the records are late.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2016.