

Chapter 342

(Senate Bill 923)

AN ACT concerning

**Public Schools – High School Sports ~~Officiating Services~~ – ~~Procurement~~
~~Requirements~~ Officials – Payment and Fees**

FOR the purpose of ~~establishing requirements for local school systems that issue invitations for bids for high school sports officiating services for boys' and girls' high school sports; and generally relating to procurement requirements for high school sports officiating services~~ requiring the State Department of Education, in consultation with the Maryland Public Secondary Schools Athletic Association to develop and periodically update a list of similar high school sports that are categorized together; requiring a county board of education to ensure that certain high school sports officials for certain high school sports are provided equal pay; requiring a county board to conduct invitations for bids for high school sports officiating services in a certain manner; and generally relating to compensation for high school sports officials.

BY adding to

Article – Education

Section 4–147

Annotated Code of Maryland

(2022 Replacement Volume and 2024 Supplement)

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

Article – Education

4–147.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

~~(2) “ASSIGNING FEES” MEANS THE FEES CHARGED BY AN ASSIGNOR.~~

~~(3) “ASSIGNOR” MEANS AN OFFICIATING ASSOCIATION OR ORGANIZATION OR AN INDEPENDENT CONTRACTOR THAT:~~

~~(i) IS REGISTERED AND IN GOOD STANDING WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION; AND~~

~~(H) PROVIDES, ASSIGNS, AND SCHEDULES THE OFFICIALS THAT PROVIDE THE HIGH SCHOOL SPORTS OFFICIATING SERVICES FOR A HIGH SCHOOL SPORTING EVENT.~~

(2) “HIGH SCHOOL SPORTS OFFICIAL” MEANS AN OFFICIAL, AN UMPIRE, A REFEREE, OR A JUDGE WHO PRESIDES OVER A SPORTING EVENT TO GUARANTEE THAT THE RULES OF THE EVENT ARE ENFORCED.

(3) “HIGH SCHOOL SPORTS OFFICIATING ROLE” MEANS AN OFFICIATING ASSIGNMENT FOR A HIGH SCHOOL SPORTS OFFICIAL THAT REQUIRES PERFORMANCE OF A DEFINED SET OF HIGH SCHOOL SPORTS OFFICIATING SERVICES.

~~(4) “HIGH SCHOOL SPORTS OFFICIATING SERVICES” MEANS THE OFFICIATING SERVICES PROVIDED BY AN OFFICIAL, AN UMPIRE, A REFEREE, OR A JUDGE AT A HIGH SCHOOL SPORTING EVENT~~ A HIGH SCHOOL SPORTS OFFICIAL WHEN OVERSEEING A HIGH SCHOOL SPORT.

~~(5) “SIMILAR BOYS’ AND GIRLS’ HIGH SCHOOL SPORTS” MEANS HIGH SCHOOL SPORTS THAT:~~

~~(I) OCCUR IN THE SAME SEASON;~~

~~(II) HAVE COMPARABLE RULES;~~

~~(III) HAVE A SIMILAR NUMBER OF HIGH SCHOOL SPORTS OFFICIALS; AND~~

~~(IV) HAVE A SIMILAR TIME OF COMPETITION.~~

~~(B) A LOCAL SCHOOL SYSTEM SHALL ISSUE INVITATIONS FOR BIDS OR REQUESTS FOR PROPOSALS FOR SIMILAR BOYS’ AND GIRLS’ HIGH SCHOOL SPORTS OFFICIATING SERVICES SIMULTANEOUSLY.~~

~~(C) (1) A LOCAL SCHOOL SYSTEM MAY ISSUE AN INVITATION FOR BIDS OR A REQUEST FOR PROPOSALS THAT REQUIRES A PROSPECTIVE BIDDER OR OFFEROR TO INCLUDE IN A BID OR AN OFFER BOTH BOYS’ AND GIRLS’ HIGH SCHOOL SPORTS OFFICIATING SERVICES.~~

~~(2) IF A LOCAL SCHOOL SYSTEM ISSUES SEPARATE INVITATIONS FOR BIDS OR REQUESTS FOR PROPOSALS FOR BOYS’ AND GIRLS’ HIGH SCHOOL SPORTS OFFICIATING SERVICES, THE LOCAL SCHOOL SYSTEM:~~

~~(I) MAY NOT SET SEPARATE DEADLINES FOR THE SUBMISSION OF BIDS AND OFFERS FOR BOYS' HIGH SCHOOL SPORTS OFFICIATING SERVICES AND GIRLS' HIGH SCHOOL SPORTS OFFICIATING SERVICES; AND~~

~~(II) MAY REQUIRE THAT PROSPECTIVE BIDDERS OR OFFERORS PARTNER TO ENSURE THAT BIDS AND OFFERS FOR BOYS' HIGH SCHOOL SPORTS OFFICIATING SERVICES ARE ACCOMPANIED BY BIDS AND OFFERS FOR GIRLS' HIGH SCHOOL SPORTS OFFICIATING SERVICES.~~

~~(D) A LOCAL SCHOOL SYSTEM SHALL REJECT A BID OR PROPOSAL IF ENTERING INTO A PROCUREMENT CONTRACT BASED ON THE BID OR PROPOSAL WOULD RESULT, FOR SIMILAR BOYS' AND GIRLS' HIGH SCHOOL SPORTS, IN THE RATE OF PAY OR ASSIGNING FEES RECEIVED BY INDIVIDUALS OFFICIATING GIRLS' HIGH SCHOOL SPORTS OR ASSIGNING GIRLS' HIGH SCHOOL SPORTS OFFICIALS BEING DIFFERENT FROM THE RATE OF PAY OR ASSIGNING FEES FOR INDIVIDUALS OFFICIATING BOYS' HIGH SCHOOL SPORTS OR ASSIGNING BOYS' HIGH SCHOOL SPORTS OFFICIALS.~~

~~(E) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT THE PAYMENT OF ASSIGNING FEES AS A BONUS THAT IS PAID OUTSIDE A PROCUREMENT CONTRACT.~~

~~(F) THE DEPARTMENT MAY DEVELOP GUIDELINES TO ASSIST A LOCAL SCHOOL SYSTEM IN THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION, INCLUDING ADDITIONAL CRITERIA FOR DETERMINING WHICH HIGH SCHOOL SPORTS QUALIFY AS SIMILAR BOYS' AND GIRLS' HIGH SCHOOL SPORTS.~~

(B) (1) ON OR BEFORE SEPTEMBER 1, 2025, THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND PUBLIC SECONDARY SCHOOLS ATHLETIC ASSOCIATION, SHALL DEVELOP A LIST OF SIMILAR HIGH SCHOOL SPORTS FOR BOYS AND GIRLS.

(2) IN CATEGORIZING BOYS' AND GIRLS' SPORTS AS SIMILAR, THE DEPARTMENT SHALL CONSIDER WHETHER EACH SPORT:

(I) OCCURS IN THE SAME SEASON;

(II) HAS COMPARABLE RULES;

(III) REQUIRES A SIMILAR NUMBER OF HIGH SCHOOL SPORTS OFFICIALS;

(IV) REQUIRES SIMILAR HIGH SCHOOL SPORTS OFFICIATING SERVICES; AND

(V) FEATURES COMPETITION OF COMPARABLE LENGTHS OF TIME.

(3) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND PUBLIC SECONDARY SCHOOLS ATHLETIC ASSOCIATION, SHALL UPDATE THE LIST EVERY 3 YEARS.

(C) (1) THIS SUBSECTION APPLIES TO A HIGH SCHOOL SPORTS OFFICIAL WHO:

(I) IS AN EMPLOYEE OF THE LOCAL SCHOOL SYSTEM; OR

(II) IS EMPLOYED BY AN INDEPENDENT CONTRACTOR OR OFFICIATING ASSOCIATION OR ORGANIZATION, WITH WHICH THE COUNTY BOARD CONTRACTS.

(2) A COUNTY BOARD SHALL ENSURE THAT HIGH SCHOOL SPORTS OFFICIALS RECEIVE THE SAME PAY IF THE OFFICIALS:

(I) ARE IN SIMILAR HIGH SCHOOL SPORTS OFFICIATING ROLES;

AND

(II) ARE PROVIDING OFFICIATING SERVICES FOR SPORTS CATEGORIZED AS SIMILAR UNDER SUBSECTION (B) OF THIS SECTION.

(D) (1) A COUNTY BOARD SHALL REJECT A BID OR PROPOSAL FOR A PROCUREMENT CONTRACT THAT WOULD RESULT IN DIFFERENT PAY OR FEES FOR HIGH SCHOOL SPORTS OFFICIALS IN A SIMILAR HIGH SCHOOL SPORTS OFFICIATING ROLE FOR SPORTS CATEGORIZED AS SIMILAR UNDER SUBSECTION (B) OF THIS SECTION.

(2) WHEN SOLICITING INVITATIONS FOR A BID OR A REQUEST FOR A PROPOSAL FOR HIGH SCHOOL SPORTS OFFICIATING SERVICES, A COUNTY BOARD SHALL SOLICIT BIDS OR REQUESTS FOR A PROPOSAL FOR EACH SPORT WITHIN A REASONABLE TIME OF THE SOLICITATION OF BIDS OR REQUESTS FOR PROPOSALS FOR ALL SPORTS CATEGORIZED AS SIMILAR UNDER SUBSECTION (B) OF THIS SECTION.

(E) (1) THIS SECTION MAY ONLY BE CONSTRUED TO REQUIRE PARITY BETWEEN HIGH SCHOOL SPORTS OFFICIALS PERFORMING SIMILAR ROLES IN SIMILAR SPORTS WITHIN A COUNTY AND MAY NOT BE CONSTRUED TO REQUIRE PARITY IN HIGH SCHOOL SPORTS OFFICIALS BETWEEN COUNTIES.

(2) THIS SECTION MAY NOT BE CONSTRUED TO HAVE ANY EFFECT ON THE GROUPING OF SPORTS TOGETHER FOR ANY PURPOSE OTHER THAN THE PAYMENT OF HIGH SCHOOL SPORTS OFFICIALS OR FEES ASSIGNED TO CONTRACTS FOR HIGH SCHOOL SPORTS OFFICIALS.

(3) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT FEES OUTSIDE OF A PROCUREMENT CONTRACT AS A BONUS TO HIGH SCHOOL SPORTS OFFICIALS.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) A local school system that executed a procurement contract for high school sports officiating services, as defined in § 4–147 of the Education Article, as enacted by Section 1 of this Act, on or before July 1, 2025, may extend the term of the contract to align the contract timelines for similar boys’ and girls’ high school sports.

(b) A local school system may not extend a contract under subsection (a) of this section beyond July 1, 2029.

SECTION 3. AND BE IT FURTHER ENACTED, That, except for a contract for high school sports officials extended by a local school system in accordance with Section 2 of this Act, this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any procurement contracts for high school sports officiating services, as defined in § 4–147 of the Education Article, as enacted under Section 1 of this Act, entered into before the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved by the Governor, May 6, 2025.