

# HOUSE BILL 1545

P1, P3

EMERGENCY BILL

5lr3639

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By: **Delegates Moon, J. Lewis, Atterbeary, Barnes, Clippinger, Korman,  
Pena-Melnyk, and Wilson**

Introduced and read first time: February 25, 2025

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Board of Public Works – Comptroller – Delinquent Federal Funds**

3 FOR the purpose of authorizing the Comptroller, in consultation with the Board of Public  
4 Works, to withhold up to a certain amount of State payments to the federal  
5 government under certain conditions; authorizing the Board of Public Works to  
6 determine the federal government to be delinquent in federal funds owed to the State  
7 under certain circumstances; and generally relating to delinquent federal funds.

8 BY adding to

9 Article – State Finance and Procurement

10 Section 2–109 and 10–208

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, without amendments,

14 Article – State Finance and Procurement

15 Section 10–101

16 Annotated Code of Maryland

17 (2021 Replacement Volume and 2024 Supplement)

18 BY adding to

19 Article – State Government

20 Section 4–115

21 Annotated Code of Maryland

22 (2021 Replacement Volume and 2024 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – State Finance and Procurement**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **2-109.**

2 **WHEN THE FEDERAL GOVERNMENT IS FOUND NOT IN COMPLIANCE WITH**  
3 **COURT DECISIONS UPHOLDING FEDERAL CONGRESSIONALLY APPROVED SPENDING**  
4 **AS PROVIDED IN § 10-208 OF THIS ARTICLE AND § 4-115 OF THE STATE**  
5 **GOVERNMENT ARTICLE, THE COMPTROLLER MAY WITHHOLD STATE PAYMENTS TO**  
6 **THE FEDERAL GOVERNMENT IN AN AMOUNT UP TO THE TOTAL OF DELINQUENT**  
7 **FEDERAL FUNDS.**

8 10-101.

9 In this title, "Board" means the Board of Public Works.

10 **10-208.**

11 **THE BOARD MAY DETERMINE THE FEDERAL GOVERNMENT TO BE**  
12 **DELINQUENT IN FEDERAL FUNDS OWED TO THE STATE IN THE EVENT OF FEDERAL**  
13 **NONCOMPLIANCE WITH COURT DECISIONS UPHOLDING CONGRESSIONALLY**  
14 **APPROVED SPENDING.**

15 **Article – State Government**

16 **4-115.**

17 **FOR DELINQUENT FEDERAL FUNDS AS DETERMINED UNDER § 10-208 OF THE**  
18 **STATE FINANCE AND PROCUREMENT ARTICLE, THE COMPTROLLER, IN**  
19 **CONSULTATION WITH THE BOARD OF PUBLIC WORKS, MAY WITHHOLD DELINQUENT**  
20 **FEDERAL FUNDS IN ACCORDANCE WITH § 2-109 OF THE STATE FINANCE AND**  
21 **PROCUREMENT ARTICLE.**

22 **SECTION 2. AND BE IT FURTHER ENACTED,** That, if any provision of this Act or  
23 the application of any provision of this Act to any person or circumstance is held invalid for  
24 any reason in a court of competent jurisdiction, the invalidity does not affect other  
25 provisions or any other application of this Act that can be given effect without the invalid  
26 provision or application, and for this purpose the provisions of this Act are declared  
27 severable.

28 **SECTION 3. AND BE IT FURTHER ENACTED,** That this Act is an emergency  
29 measure, is necessary for the immediate preservation of the public health or safety, has  
30 been passed by a yea and nay vote supported by three-fifths of all the members elected to  
31 each of the two Houses of the General Assembly, and shall take effect from the date it is  
32 enacted.