

Chapter 409

(Senate Bill 964)

AN ACT concerning

**Public Works Contracts – Apprenticeship Requirements
(Maryland Workforce Apprenticeship Utilization Act)**

FOR the purpose of altering certain apprenticeship requirements relating to public works contracts to require certain contractors and subcontractors to employ a certain number of ~~qualified~~ qualifying new apprentices or journeyworkers necessary to meet a certain applicable percentage for the project; altering which projects are subject to certain apprenticeship requirements; ~~repealing~~ altering certain provisions of law that authorize contractors and subcontractors to make certain payments to a certain apprenticeship program in lieu of employing certain apprentices; requiring the Secretary of Labor to annually establish a certain applicable percentage; ~~authorizing the Secretary to waive certain requirements under certain circumstances;~~ establishing that certain apprenticeship requirements apply to the University System of Maryland and Baltimore City Community College; and generally relating to apprenticeship requirements for public works contracts.

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 11–203(e), 17–601, 17–602, 17–603, 17–604, 17–605, and 17–606
 Annotated Code of Maryland
 (2021 Replacement Volume and 2025 Supplement)

BY adding to
 Article – State Finance and Procurement
 Section 17–601.1, 17–602.1, ~~17–604.1~~, 17–605.1, and 17–607
 Annotated Code of Maryland
 (2021 Replacement Volume and 2025 Supplement)

~~BY repealing and reenacting, without amendments,
 Article – State Finance and Procurement
 Section 17–602
 Annotated Code of Maryland
 (2021 Replacement Volume and 2025 Supplement)~~

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

Article – State Finance and Procurement

11–203.

(e) (1) In this subsection, “University” means the University System of Maryland, Morgan State University, or St. Mary’s College of Maryland.

(2) Except as otherwise provided in this subsection, this Division II does not apply to the University System of Maryland, Morgan State University, St. Mary’s College of Maryland, or Baltimore City Community College.

(3) (i) A procurement by a University or Baltimore City Community College shall comply with the policies and procedures developed by the University or Baltimore City Community College and approved by the Board of Public Works and the Administrative, Executive, and Legislative Review Committee of the General Assembly in accordance with:

1. § 12–112 of the Education Article for the University System of Maryland;
2. § 14–109 of the Education Article for Morgan State University;
3. § 14–405(f) of the Education Article for St. Mary’s College of Maryland; or
4. § 16–505.3 of the Education Article for Baltimore City Community College.

(ii) 1. The review and approval of the Board of Public Works shall be required for the following types of contracts with a value that exceeds \$1,000,000 for a University or \$500,000 for Baltimore City Community College:

- A. capital improvements; and
- B. services.

2. In its review of a contract for services or capital improvements with a value that exceeds \$1,000,000, the Board of Public Works may request the comments of the appropriate agencies, including the Department of Budget and Management and the Department of General Services.

3. For Baltimore City Community College contracts that are not subject to the review and approval of the Board of Public Works under subparagraph 1 of this subparagraph:

- A. contracts with a value of \$100,000 or less shall be reviewed and approved by the President of Baltimore City Community College or the President’s designee; and

B. contracts with a value that exceeds \$100,000 but does not exceed \$500,000 shall be approved by the Board of Trustees of Baltimore City Community College.

(4) The policies of a University or Baltimore City Community College shall:

(i) to the maximum extent practicable, require the purchasing of supplies and services in accordance with Title 14, Subtitle 1 of this article;

(ii) promote the purposes of the regulations adopted by the Department of General Services governing the procurement of architectural and engineering services;

(iii) promote the purposes of § 13–402 of the State Personnel and Pensions Article;

(iv) to the maximum extent practicable, be similar to § 13–218.1 of this article; and

(v) to the maximum extent practicable, require the procurement of food in accordance with Title 14, Subtitle 7 of this article.

(5) (i) Except as provided in paragraph (7) of this subsection, the following provisions of Division II of this article apply to a University and to Baltimore City Community College:

1. § 11–205 of this subtitle (“Collusion”);

2. § 11–205.1 of this subtitle (“Falsification, concealment, etc., of material facts”);

3. § 13–219 of this article (“Required clauses – Nondiscrimination clause”);

4. § 13–225 of this article (“Retainage”);

5. Title 14, Subtitle 3 of this article (“Minority Business Participation”);

6. Title 14, Subtitle 7 of this article (“Certified Local Farm and Fish Program”);

7. Title 15, Subtitle 1 of this article (“Procurement Contract Administration”);

8. § 15–226 of this article (“Policy established; timing of payments; notice upon nonpayment; disputes; appeals”); [and]

9. Title 16 of this article (“Suspension and Debarment of Contractors”); **AND**

10. TITLE 17, SUBTITLE 6 OF THIS ARTICLE (“APPRENTICESHIP REQUIREMENTS FOR PUBLIC WORKS CONTRACTS”).

(ii) Except as provided in paragraph (7) of this subsection, Title 14, Subtitle 8 of this article (“Employee Stock Ownership Plan Preference Program”) applies to Morgan State University, St. Mary’s College of Maryland, and Baltimore City Community College.

(iii) If a procurement violates the provisions of this subsection or policies adopted in accordance with this subsection, the procurement contract is void or voidable in accordance with the provisions of § 11–204 of this subtitle.

(6) (i) The State Board of Contract Appeals shall have authority over contract claims related to procurement contracts awarded by:

1. the University System of Maryland before July 1, 1999;
2. Morgan State University before July 1, 2004; and
3. Baltimore City Community College before July 1, 2021.

(ii) At the election of the Board of Regents of the University System of Maryland and subject to the approval of the Board of Public Works, the State Board of Contract Appeals shall have authority over contract claims related to procurement contracts awarded by the University after June 30, 1999.

(iii) At the election of the Board of Regents of Morgan State University and subject to the approval of the Board of Public Works, the State Board of Contract Appeals shall have authority over contract claims related to procurement contracts awarded by the University after June 30, 2004.

(iv) At the election of the Board of Trustees of St. Mary’s College of Maryland and subject to the approval of the Board of Public Works, the State Board of Contract Appeals shall have authority over contract claims related to procurement contracts awarded by St. Mary’s College of Maryland after June 30, 2006.

(v) At the election of the Board of Trustees of Baltimore City Community College and subject to the approval of the Board of Public Works, the State Board of Contract Appeals shall have authority over contract claims related to procurement contracts awarded by Baltimore City Community College after June 30, 2021.

(7) Except with regard to the provisions of § 15–113 of this article, paragraphs (3), (4), and (5) of this subsection do not apply to:

(i) procurement by a University or Baltimore City Community College from:

1. another unit;
2. a political subdivision of the State;
3. an agency of a political subdivision of the State;
4. a government, including the government of another state, of the United States, or of another country;
5. an agency or political subdivision of a government; or
6. a bistate, multistate, bicounty, or multicounty governmental agency;

(ii) procurement by a University in support of enterprise activities for the purpose of:

1. direct resale;
2. remanufacture and subsequent resale; or
3. procurement by the University for overseas programs; or

(iii) procurement by the University System of Maryland for:

1. services of managers to invest, in accordance with the management and investment policies adopted by the Board of Regents of the University System of Maryland, gift and endowment assets received by the University System of Maryland in accordance with § 12–104(e) of the Education Article; or
2. expenditures to manage, maintain, and enhance, in accordance with the management and investment policies adopted by the Board of Regents of the University System of Maryland, the value of gift and endowment assets received by the University System of Maryland in accordance with § 12–104(e) of the Education Article.

17–601.

(a) In this subtitle the following words have the meanings indicated.

(B) “APPLICABLE PERCENTAGE” MEANS THE PERCENTAGE OF TOTAL LABOR HOURS OF WORK ON A COVERED PROJECT, INCLUDING CONSTRUCTION, ALTERATION, AND REPAIR WORK, PERFORMED BY ~~AN~~ A QUALIFYING APPRENTICE OR A JOURNEYWORKER ESTABLISHED UNDER § 17-602.1 OF THIS SUBTITLE.

[(b)] (C) “Apprenticeship training program” means an apprenticeship training program that:

~~(1)~~ is registered with, and approved by, the Apprenticeship and Training Council or the U.S. Department of Labor; ~~AND~~

~~(2) COMPLIES WITH THE REQUIREMENTS OF 29 C.F.R. PART 29 AND PART 30.~~

[(c)] (D) “Covered craft” means a classification of workers listed in the prevailing wage determination applicable to the covered project.

[(d)] (E) “Covered project” means a project for the construction of a public work[, as defined under § 17-201 of this title, that is valued at \$500,000 or more] **THAT IS SUBJECT TO SUBTITLE 2 OF THIS TITLE.**

[(e)] (F) “Department” means the Maryland Department of Labor.

[(f)] (G) “Fund” means the State Apprenticeship Training Fund established under § 17-602 of this subtitle.

(H) “LABOR HOURS” MEANS THE TOTAL NUMBER OF HOURS DEVOTED TO THE PERFORMANCE OF CONSTRUCTION, ALTERATION, OR REPAIR WORK BY ANY INDIVIDUAL AND EXCLUDES HOURS WORKED BY:

(1) FOREMEN;

(2) SUPERINTENDENTS;

(3) OWNERS; OR

(4) ANY PERSON EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE, OR PROFESSIONAL CAPACITY, AS DEFINED IN 29 C.F.R. PART 541.

[(g)] (I) “Participates in an apprenticeship training program” means that a contractor or subcontractor makes regular financial contributions for each covered craft to apprenticeship training programs for covered crafts during the term of the covered project

that are at least equal to the hourly fringe benefit contribution rates required for apprenticeship training by the applicable prevailing wage determination for the project, as specified by the Secretary.

(J) “~~QUALIFIED~~ QUALIFYING APPRENTICE OR JOURNEYWORKER” MEANS AN INDIVIDUAL WHO:

(1) HAS GRADUATED FROM A REGISTERED APPRENTICESHIP TRAINING PROGRAM WITHIN 3 YEARS BEFORE THE START DATE OF THE COVERED PROJECT;

(2) IS CURRENTLY COMPLETING, OR HAS COMPLETED WITHIN 3 YEARS BEFORE THE START DATE OF THE COVERED PROJECT, THE EQUIVALENT OF AN APPRENTICESHIP IN LENGTH AND CONTENT OF WORK EXPERIENCE AND ALL REQUIREMENTS IN THE APPRENTICESHIP STANDARDS FOR A CRAFT; OR

(3) IS ~~PARTICIPATING~~ ENROLLED IN ~~AN~~ A REGISTERED APPRENTICESHIP TRAINING PROGRAM.

(K) “QUALIFIED APPRENTICESHIP PROGRAM” MEANS A PREAPPRENTICESHIP PROGRAM, APPRENTICESHIP PROGRAM, OR WORKFORCE DEVELOPMENT PROGRAM THAT IS AFFILIATED WITH OR PROVIDES PARTICIPANTS WITH ACCESS TO A REGISTERED APPRENTICESHIP TRAINING PROGRAM THAT HAS A COMPLETION RATE OF AT LEAST 25%, AS DETERMINED BY THE DEPARTMENT.

[(h)] ~~(K)~~ (L) “Secretary” means the Secretary of Labor.

17-601.1.

~~(A) THIS SUBTITLE APPLIES ONLY TO CONTRACTORS AND SUBCONTRACTORS WHO EMPLOY FOUR OR MORE INDIVIDUALS TO PERFORM WORK ON A COVERED PROJECT.~~

~~(B)~~ NOTHING IN THIS SUBTITLE MAY PREEMPT A LOCAL LAW OR POLICY PROVIDING FOR ADDITIONAL SKILLED AND TRAINED WORKFORCE REQUIREMENTS ON PUBLIC WORKS PROJECTS.

17-602.

(a) There is a State Apprenticeship Training Fund in the Department.

(b) The Fund consists of:

(1) payments made by contractors or subcontractors in accordance with this subtitle and Subtitle 6A of this title;

(2) penalties collected as a result of violations of this subtitle and Subtitle 6A of this title; ~~and~~

(3) penalties collected as a result of violations of Title 14, Subtitle 8 of this article; **AND**

(4) ANY MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(c) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of this article.

(d) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(e) The Secretary shall use money in the Fund to:

(1) **SUBJECT TO SUBSECTION (F) OF THIS SECTION,** promote **OR SUPPORT** preapprenticeship programs, **APPRENTICESHIP PROGRAMS,** and other workforce development programs ~~in the State's public secondary schools and community colleges that assist students in preparing for and entering apprenticeship training programs;~~ and

(2) pay any costs associated with carrying out the provisions of this subtitle and Subtitle 6A of this title or Title 14, Subtitle 8 of this article.

(F) FUNDS DISTRIBUTED UNDER SUBSECTION (E)(1) OF THIS SECTION SHALL BE AWARDED ONLY TO QUALIFIED APPRENTICESHIP PROGRAMS.

17-602.1.

(A) FOR CONSTRUCTION ON A COVERED PROJECT FOR WHICH A PUBLIC BODY ADVERTISES FOR BIDS OR PROPOSALS FOR A PUBLIC WORKS CONTRACT ON OR AFTER JANUARY 1, 2027, THE APPLICABLE PERCENTAGE IS 20%.

(B) (1) ON OR BEFORE DECEMBER 31, ~~2027~~ 2028, AND ~~EACH EVERY OTHER~~ DECEMBER 31 THEREAFTER, THE SECRETARY SHALL SET THE APPLICABLE PERCENTAGE THAT WILL APPLY FOR THE FOLLOWING CALENDAR YEAR.

(2) THE APPLICABLE PERCENTAGE ADOPTED UNDER THIS SUBSECTION SHALL BE BASED ON, OVER THE PREVIOUS 2 YEARS:

(I) ENROLLMENT IN STATE APPRENTICESHIP PROGRAMS; AND**(II) ACTUAL APPRENTICESHIP UTILIZATION ON PUBLIC WORKS PROJECTS.**

(C) THE SECRETARY MAY ALTER THE APPLICABLE PERCENTAGE FOR A COVERED PROJECT TO MEET ANY RATIO REQUIREMENTS NECESSARY FOR APPRENTICE OR JOURNEYWORKER SUPERVISION IN THE COVERED CRAFT.

17-603.

(a) A contractor that is awarded a procurement contract for a covered project shall provide to a unit, as a condition of receiving the contract, written verification that:

(1) the contractor ~~participates~~ **participates** in an apprenticeship training program for each covered craft in which it will employ persons for the covered project ~~AND IS EMPLOYING THE NUMBER OF QUALIFIED QUALIFYING NEW APPRENTICES OR JOURNEYWORKERS FOR A COVERED PROJECT NECESSARY TO MEET THE APPLICABLE PERCENTAGE FOR THE COVERED PROJECT; OR~~

(2) the contractor will make payments to the Fund **IN ACCORDANCE WITH § 17-605 OF THIS SUBTITLE**; or

(3) the contractor will make payments in amounts determined under § 17-605 of this subtitle to a ~~registered apprenticeship program or to an organization that has registered apprenticeship programs~~ **QUALIFIED APPRENTICESHIP PROGRAM** for the purpose of supporting these programs.

(b) The written verification required under subsection (a) of this section shall be provided by a contractor to the unit responsible for the project before the contractor commences performance under the procurement contract.

~~(c)~~ **(c)** Organizations that have ~~registered~~ **QUALIFIED** apprenticeship programs and receive funds from contractors under subsection (a)(3) of this section shall certify to the Secretary that all funds received are used solely for the purpose of improving or expanding apprenticeship training in the State.

(d) The Secretary shall adopt regulations to establish a process for auditing organizations that provide ~~registered~~ **QUALIFIED** apprenticeship programs to ensure that all funds received under subsection (a)(3) of this section are used solely to improve and expand apprenticeship programs in the State.

17-604.

(a) A subcontractor that performs work at a value exceeding the small procurement amount specified in § 13–109 of this article for a covered project shall provide to a unit written verification that:

(1) the subcontractor ~~participates in an apprenticeship training program for each covered craft in which it will employ persons~~ **AND IS EMPLOYING THE NUMBER OF ~~QUALIFIED~~ QUALIFYING NEW APPRENTICES OR JOURNEYWORKERS FOR A COVERED PROJECT NECESSARY TO MEET THE APPLICABLE PERCENTAGE** for the covered project; ~~OR~~

(2) the subcontractor will make payments to the Fund **IN ACCORDANCE WITH § 17–605 OF THIS SUBTITLE**; or

(3) the subcontractor will make payments in amounts determined under § 17–605 of this subtitle to a ~~registered apprenticeship program or to an organization that has registered apprenticeship programs~~ **QUALIFIED APPRENTICESHIP PROGRAM** for the purpose of supporting these programs.

(b) The written verification required under subsection (a) of this section shall be provided by a subcontractor to the unit responsible for the project before the subcontractor commences performance under the procurement contract.

~~(c)~~ Organizations that have ~~registered~~ **QUALIFIED** apprenticeship programs and receive funds from contractors under subsection (a)(3) of this section shall certify to the Secretary that all funds received are used solely for the purpose of improving or expanding apprenticeship training in the State.

(d) The Secretary shall adopt regulations to establish a process for auditing organizations that provide ~~registered~~ **QUALIFIED** apprenticeship programs to ensure that all funds received under subsection (a)(3) of this section are used solely to improve and expand apprenticeship programs in the State.

~~17–604.1.~~

~~(A) IN THIS SECTION, “ALL APPLICABLE APPRENTICESHIP TRAINING PROGRAMS” MEANS EACH APPRENTICESHIP TRAINING PROGRAM THAT HAS A GEOGRAPHIC AREA OF OPERATION THAT INCLUDES THE LOCATION OF THE COVERED PROJECT AND HAS A USUAL AND CUSTOMARY BUSINESS PRACTICE OF ENTERING INTO AGREEMENTS WITH EMPLOYERS FOR THE PLACEMENT OF APPRENTICES IN THE COVERED CRAFT.~~

~~(B) THE SECRETARY MAY WAIVE THE REQUIREMENTS UNDER § 17–603 OR § 17–604 OF THIS SUBTITLE IF A CONTRACTOR OR SUBCONTRACTOR SUBMITS A WRITTEN WAIVER APPLICATION, INCLUDING ANY SUPPORTING DOCUMENTATION~~

~~REQUIRED BY THE SECRETARY, DEMONSTRATING THAT THE CONTRACTOR OR SUBCONTRACTOR:~~

~~(1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, HAS REQUESTED QUALIFIED APPRENTICES FROM ALL APPLICABLE APPRENTICESHIP TRAINING PROGRAMS; AND~~

~~(2) FOR EACH REQUEST:~~

~~(I) THE REQUEST HAS BEEN DENIED FOR A REASON THAT IS NOT THE RESULT OF A REFUSAL BY THE CONTRACTOR OR SUBCONTRACTOR TO COMPLY WITH THE ESTABLISHED STANDARDS AND REQUIREMENTS OF THE APPRENTICESHIP TRAINING PROGRAM; OR~~

~~(II) THE APPRENTICESHIP TRAINING PROGRAM HAS FAILED TO RESPOND TO THE REQUEST WITHIN 10 BUSINESS DAYS AFTER THE DATE ON WHICH THE APPRENTICESHIP TRAINING PROGRAM RECEIVED THE REQUEST.~~

~~(C) TO REQUEST QUALIFIED APPRENTICES FROM AN APPRENTICESHIP TRAINING PROGRAM, A CONTRACTOR OR SUBCONTRACTOR SHALL SUBMIT:~~

~~(1) A REQUEST BY TELEPHONE AND IN WRITING SENT ELECTRONICALLY AND BY REGISTERED MAIL; AND~~

~~(2) A REQUEST TO AN APPRENTICESHIP TRAINING PROGRAM WITH WHICH THE CONTRACTOR OR SUBCONTRACTOR DOES NOT HAVE AN EXISTING PARTICIPATION AGREEMENT, AT LEAST 90 CALENDAR DAYS BEFORE THE DATE THE CONTRACTOR OR SUBCONTRACTOR EXPECTS TO USE APPRENTICE LABOR.~~

17-605.

(a) (1) A contractor or subcontractor [that elects to make payments to the Fund in accordance with this subtitle] shall make payments, as determined by the Secretary, not to exceed 25 cents per hour for each employee in each covered craft who is employed by the contractor or subcontractor on the covered project, IF THE CONTRACTOR OR SUBCONTRACTOR:

(I) ELECTS TO MAKE PAYMENTS TO THE FUND OR A QUALIFIED APPRENTICESHIP PROGRAM IN ACCORDANCE WITH THIS SUBTITLE; OR

(II) FAILS TO MEET THEIR FULL QUALIFYING NEW APPRENTICE OR JOURNEYWORKER UTILIZATION REQUIREMENT UNDER THIS SUBTITLE.

(2) If the prevailing wage determination for a covered craft includes a fringe benefit contribution for apprenticeship programs that exceeds 25 cents, the contractor or subcontractor shall pay the difference to the employees in the covered craft in wages.

(3) Payments made under this section fulfill any obligations of the contractor or subcontractor regarding contributions for apprenticeship programs included in the prevailing wage determination under § 17–208 of this title.

(4) Payments made under paragraph (1) of this section are permissible deductions under § 17–215(b) of this title.

(5) Payments made to the Fund in accordance with paragraph (1) of this subsection shall be made on a monthly basis.

(b) (1) If the Secretary determines that a contractor or subcontractor for a covered project has made contributions to an apprenticeship training program at rates lower than those required by this subtitle, **OR HAS FAILED TO SATISFY THE QUALIFYING NEW APPRENTICE AND JOURNEYWORKER UTILIZATION REQUIREMENT UNDER THIS SUBTITLE**, the contractor or subcontractor shall make payments to the Fund [for the] **EQUAL TO THE PRO RATA** difference between its contribution and the contribution rate required by this subtitle.

(2) Payments made to the Fund in accordance with paragraph (1) of this subsection shall be made on a monthly basis.

(c) A contractor shall report all apprenticeship payments made under this subtitle on prevailing wage payroll records required by § 17–220 of this title.

(d) (1) A contractor or subcontractor that makes contributions to the Fund[, a registered apprenticeship] **OR A QUALIFIED APPRENTICESHIP** program, or an organization that has registered apprenticeship programs may request that its contributions be directed to a specific preapprenticeship, **APPRENTICESHIP**, or workforce development program.

(2) The Secretary shall make a good–faith effort to accommodate requests received **FOR CONTRIBUTIONS TO THE FUND** in accordance with paragraph (1) of this subsection.

17–605.1.

(A) WHILE CONSTRUCTION ACTIVITY ON A COVERED PROJECT IS ONGOING, EACH CONTRACTOR AND SUBCONTRACTOR PERFORMING WORK ON THE COVERED PROJECT SHALL SUBMIT A MONTHLY REPORT TO THE DEPARTMENT THAT INCLUDES:

(1) FOR EACH APPRENTICE OR JOURNEYWORKER:

- (I) THE NAME OF THE APPRENTICE OR JOURNEYWORKER;**
- (II) THE NAME OF THE ASSOCIATED APPRENTICESHIP TRAINING PROGRAM; AND**
- (III) THE APPRENTICE REGISTRATION OR IDENTIFICATION NUMBER;**

(2) THE TOTAL NUMBER OF APPRENTICES AND LABOR HOURS WORKED, CATEGORIZED BY TRADE OR CRAFT; AND

(3) THE TOTAL NUMBER OF JOURNEYWORKERS AND LABOR HOURS WORKED, CATEGORIZED BY TRADE OR CRAFT.

(B) WITHIN 60 DAYS AFTER COMPLETING WORK ON A COVERED PROJECT, EACH CONTRACTOR AND SUBCONTRACTOR SHALL SUBMIT TO THE DEPARTMENT:

~~**(1) A STATEMENT OF THE TOTAL NUMBER OF LABOR HOURS OF WORK ON A COVERED PROJECT, INCLUDING CONSTRUCTION, ALTERATION, AND REPAIR WORK, PERFORMED BY AN APPRENTICE OR JOURNEYWORKER; AND**~~

~~**(2) IF APPLICABLE, A WRITTEN DECLARATION AND SUPPORTING DOCUMENTS JUSTIFYING ANY WAIVER RECEIVED UNDER § 17-604.1 OF THIS SUBTITLE.**~~

(C) THE DEPARTMENT SHALL MAINTAIN ON ITS WEBSITE:

(1) DATA AGGREGATED FROM THE REPORTS RECEIVED UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION SHOWING THE USE OF ~~QUALIFIED~~ QUALIFYING NEW APPRENTICES AND JOURNEYWORKERS ON COVERED PROJECTS; AND

~~**(2) DESCRIPTIONS OF THE CIRCUMSTANCES OF ANY WAIVER GRANTED UNDER § 17-604.1**~~ **PAYMENTS MADE BY EACH CONTRACTOR OR SUBCONTRACTOR UNDER § 17-605 OF THIS SUBTITLE.**

17-606.

(a) A contractor or subcontractor that fails to meet the requirements of this subtitle shall be liable for an amount equal to:

(1) twice the amount of unpaid apprenticeship training contributions required by ~~§§ 17-603 AND 17-604 OF~~ this subtitle; AND

(2) ~~\$100 MULTIPLIED BY THE TOTAL LABOR HOURS FOR WHICH THE REQUIREMENT UNDER § 17-603 OF THIS SUBTITLE WAS APPLICABLE~~ A FINE OF UP TO \$10,000.

(b) (1) In this subsection, “willfully” means representations or omissions known to be false or made with deliberate ignorance or reckless disregard for their truth or falsity.

(2) Any person, firm, or corporation that is found to have made willfully a false or fraudulent representation or omission regarding a material fact in connection with prevailing wage records required by this section shall be liable for a civil penalty in an amount of up to \$1,000 for each employee and each falsified record.

(3) Penalties shall be recoverable [in civil actions and paid to the State] ~~UNDER THE MARYLAND FALSE CLAIMS ACT BY ORDER OF THE SECRETARY AND PAID TO THE GENERAL FUND.~~

(c) (1) The Secretary shall adopt regulations to establish administrative procedures for the collection of payments under this subtitle.

(2) (i) The Secretary may file suit to enforce this section in any court of competent jurisdiction.

(ii) In an action filed under this subsection, the court shall require the contractor or subcontractor to pay the amount required by subsection (a) of this section, including interest, reasonable counsel fees, and court costs.

17-607.

THE SECRETARY SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT THE REQUIREMENTS OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, May 12, 2026.