

HB0299/613028/1

BY: Government, Labor, and Elections Committee

AMENDMENTS TO HOUSE BILL 299
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “laws;” insert “requiring a subcontractor to indemnify a general contractor for certain wages, damages, interest, penalties, or fees except under certain circumstances;”; strike beginning with “altering” in line 18 down through “law;” in line 19; in line 20, strike “debarment.”; after line 20, insert:

“BY repealing and reenacting, without amendments,
Article – General Provisions
Section 8–101(a)
Annotated Code of Maryland
(2019 Replacement Volume and 2025 Supplement)”;

in line 23, after “Section” insert “8–101(b).”; and in the same line, after “(9)” insert a comma.

AMENDMENT NO. 2

On page 2, in line 21, strike “16–203(a)(9) and (10).”; and after line 31, insert:

“8–101.

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

(b) (1) “Claim” means a request or demand, under a contract or otherwise, for money or other property, whether or not the governmental entity has title to the money or property, that is:

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(i) presented to an officer, employee, or agent of a governmental entity; or

(ii) made to a contractor, a grantee, or another recipient, if the money or other property is to be spent or used on a governmental entity's behalf or to advance an interest of a governmental entity, and the governmental entity:

1. provides or has provided any portion of the money or other property requested or demanded; or

2. will reimburse the contractor, grantee, or other recipient for any portion of the money or other property that is requested or demanded.

(2) ["Claim"] EXCEPT WITH RESPECT TO §§ 8-102(B)(9) AND 8-109(C)(2)(III) OF THIS TITLE, "CLAIM" does not include requests or demands for money or other property that a governmental entity has paid to an individual as compensation for employment or as an income subsidy with no restrictions on that individual's use of the money or other property."

AMENDMENT NO. 3

On page 3, after line 27, insert:

"(III) TO ASSIST IN THE ENFORCEMENT OF THIS SUBTITLE, THE COMMISSIONER OF LABOR AND INDUSTRY AND THE ATTORNEY GENERAL SHALL SHARE INFORMATION ON A MONTHLY BASIS CONCERNING MATTERS ARISING UNDER TITLE 3, SUBTITLE 9 OF THE LABOR AND EMPLOYMENT ARTICLE AND TITLE 16 AND TITLE 17, SUBTITLE 2 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, INCLUDING:

1. THE CONTENT OF COMPLAINTS OR REFERRALS RECEIVED CONCERNING POTENTIAL VIOLATIONS AND ACTIONS TAKEN; AND

2. THE STATUS OF INVESTIGATIONS INITIATED, INCLUDING ANY DETERMINATION OF MERIT OR RECOVERY SOUGHT OR OBTAINED.

AMENDMENT NO. 4

On page 5, in line 31, after “(K)” insert “(1)”.

On page 6, after line 2, insert:

“(2) A SUBCONTRACTOR SHALL INDEMNIFY A GENERAL CONTRACTOR FOR ANY WAGES, DAMAGES, INTEREST, PENALTIES, OR ATTORNEY’S FEES OWED AS A RESULT OF THE SUBCONTRACTOR’S VIOLATION UNLESS INDEMNIFICATION IS PROVIDED FOR IN A CONTRACT BETWEEN THE GENERAL CONTRACTOR AND THE SUBCONTRACTOR.”

AMENDMENT NO. 5

On page 8, in line 31, strike “TO” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, TO**”; strike beginning with “MEET” in line 32 down through “TO” in line 33; and in line 33, after “INFORMATION” insert “**ON A MONTHLY BASIS**”.

On page 9, strike beginning with the colon in line 10 down through “(I)” in line 11; strike beginning with the semicolon in line 12 down through “MERIT” in line 16; and in line 29, strike “THE” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE**”; and after line 32, insert:

“(5) (I) THE ATTORNEY GENERAL MAY NOT BE COMPELLED TO SHARE INFORMATION REGARDING, OR TO COOPERATE IN THE INVESTIGATION

OF, A CIVIL ACTION FILED UNDER SEAL IN ACCORDANCE WITH § 8-104 OF THE
GENERAL PROVISIONS ARTICLE.

(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT
PROHIBIT THE ATTORNEY GENERAL FROM BEING COMPELLED TO COOPERATE
IN AN INVESTIGATION OF A CIVIL ACTION IF THE ATTORNEY GENERAL HAS
INTERVENED AND PROCEEDED WITH THE ACTION UNDER § 8-104(A)(6)(I) OF THE
GENERAL PROVISIONS ARTICLE.”.

On pages 14 and 15, strike in their entirety the lines beginning with line 23 on page 14 through line 15 on page 15, inclusive.

On page 19, in line 16, strike “**TO**” and substitute “EXCEPT AS PROVIDED IN
PARAGRAPH (5) OF THIS SUBSECTION, TO”; in lines 17 and 18, strike “**MEET AT
LEAST MONTHLY TO**”; in line 18, after “**INFORMATION**” insert “ON A MONTHLY
BASIS”; strike beginning with the colon in line 28 down through “**(I)**” in line 29; and
strike beginning with the semicolon in line 30 down through “**MERIT**” in line 32.

On page 20, in line 10, strike “**THE**” and substitute “EXCEPT AS PROVIDED IN
PARAGRAPH (5) OF THIS SUBSECTION, THE”; and after line 13, insert:

“(5) (I) THE ATTORNEY GENERAL MAY NOT BE COMPELLED TO
SHARE INFORMATION REGARDING, OR TO COOPERATE IN THE INVESTIGATION
OF, A CIVIL ACTION FILED UNDER SEAL IN ACCORDANCE WITH § 8-104 OF THE
GENERAL PROVISIONS ARTICLE.

(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT
PROHIBIT THE ATTORNEY GENERAL FROM BEING COMPELLED TO COOPERATE
IN AN INVESTIGATION OF A CIVIL ACTION IF THE ATTORNEY GENERAL HAS

INTERVENED AND PROCEEDED WITH THE ACTION UNDER § 8-104(A)(6)(I) OF THE GENERAL PROVISIONS ARTICLE.”.

On page 22, in line 7, strike “TO” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, TO”; in lines 8 and 9, strike “MEET AT LEAST MONTHLY TO”; in line 9, after “INFORMATION” insert “ON A MONTHLY BASIS”; in line 30, strike “THE” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE”; and after line 33, insert:

“(D) (1) THE ATTORNEY GENERAL MAY NOT BE COMPELLED TO SHARE INFORMATION REGARDING OR TO COOPERATE IN THE INVESTIGATION OF A CIVIL ACTION FILED UNDER SEAL IN ACCORDANCE WITH § 8-104 OF THE GENERAL PROVISIONS ARTICLE.

“(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT PROHIBIT THE ATTORNEY GENERAL FROM BEING COMPELLED TO COOPERATE IN AN INVESTIGATION OF A CIVIL ACTION IF THE ATTORNEY GENERAL HAS INTERVENED AND PROCEEDED WITH THE ACTION UNDER § 8-104(A)(6)(I) OF THE GENERAL PROVISIONS ARTICLE.”.

AMENDMENT NO. 6

On page 23, before line 1, insert:

“SECTION 2. AND IT BE FURTHER ENACTED, That, before October 1, 2026, the Commissioner of Labor and Industry shall hold informational sessions for the purpose of educating persons who have obligations under Title 3, Subtitle 9 of the Labor and Employment Article, including as amended by this Act, and other interested parties and stakeholders.”;

and in line 1, strike “2.” and substitute “3.”.