

HOUSE BILL 334

P2

6lr2066

By: **Delegates Ruth, Charkoudian, Addison, Forbes, Hill, Kaufman, Lehman,
Lewis, Martinez, Moreno, Pasteur, Stein, Taveras, Terrasa, and Wims**

Introduced and read first time: January 19, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **State Procurement – Constitutional Violations – Prohibited**

3 FOR the purpose of requiring a procurement officer to require a certain certification from
4 a bidder or offeror and to include a certain clause in a State procurement contract
5 relating to unconstitutional activity; and generally relating to constitutional
6 violations and State procurement.

7 BY adding to

8 Article – State Finance and Procurement

9 Section 13–212.2 and 13–230

10 Annotated Code of Maryland

11 (2021 Replacement Volume and 2025 Supplement)

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 **13–212.2.**

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

18 (2) “AFFILIATE” MEANS AN ENTITY WITH A CORPORATE OR LEGAL
19 RELATIONSHIP WITH THE BIDDER OR OFFEROR, INCLUDING:

20 (I) SHARED OWNERSHIP OR CONTROL; OR

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(II) AN ECONOMIC RELATIONSHIP OR PARTNERSHIP,
INCLUDING MARKETING OR PROMOTION.

(3) "BIDDER OR OFFEROR" INCLUDES:

(I) ANY DIVISION OF THE BIDDER OR OFFEROR, EVEN IF IT IS
UNRELATED TO THE PROCUREMENT ACTIVITY; AND

(II) AN AFFILIATE OF THE BIDDER OR OFFEROR.

(B) A PROCUREMENT OFFICER SHALL REQUIRE A BIDDER OR OFFEROR, AS
A CONDITION TO SUBMITTING A BID OR PROPOSAL ON A STATE PROCUREMENT, TO
CERTIFY THAT THE BIDDER OR OFFEROR:

(1) IS NOT ENGAGING IN ANY ACTIONS THAT VIOLATE THE U.S.
CONSTITUTION OR THE MARYLAND CONSTITUTION; AND

(2) WILL REFRAIN FROM ENGAGING IN ANY ACTIONS THAT VIOLATE
THE U.S. CONSTITUTION OR THE MARYLAND CONSTITUTION FOR THE DURATION
OF THE CONTRACTUAL OBLIGATIONS.

13-230.

A PROCUREMENT OFFICER SHALL INCLUDE IN A STATE PROCUREMENT
CONTRACT A CLAUSE REQUIRING THE CONTRACTOR TO CERTIFY THAT THE
CONTRACTOR:

(1) IS NOT ENGAGING IN ANY ACTIONS THAT VIOLATE THE U.S.
CONSTITUTION OR THE MARYLAND CONSTITUTION; AND

(2) WILL REFRAIN FROM ENGAGING IN ANY ACTIONS THAT VIOLATE
THE U.S. CONSTITUTION OR THE MARYLAND CONSTITUTION FOR THE DURATION
OF THE CONTRACTUAL OBLIGATIONS.

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