

# HOUSE BILL 728

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CF 6lr3062

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By: **Delegates Behler, Schindler, Watson, and Ziegler**

Introduced and read first time: February 2, 2026

Assigned to: Government, Labor, and Elections

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Procurement – Exceptions – Historic Preservation Services**

3 FOR the purpose of establishing certain exceptions to State procurement requirements for  
4 certain contracts with nonprofit entities related to historic preservation service  
5 opportunities; requiring certain historic preservation, archaeology, and conservation  
6 service contracts to include certain clauses; and generally relating to State  
7 procurement and historic preservation services.

8 BY repealing and reenacting, with amendments,  
9 Article – State Finance and Procurement  
10 Section 11–203(a)(1)(xviii) and (xix)  
11 Annotated Code of Maryland  
12 (2021 Replacement Volume and 2025 Supplement)

13 BY adding to  
14 Article – State Finance and Procurement  
15 Section 11–203(a)(1)(xx) and (b)(5) and 13–218(f)  
16 Annotated Code of Maryland  
17 (2021 Replacement Volume and 2025 Supplement)

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

20 **Article – State Finance and Procurement**

21 11–203.

22 (a) Except as provided in subsection (b) of this section, this Division II does not  
23 apply to:

24 (1) procurement by:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(xviii) the Department of Natural Resources, for:

1. negotiating or entering into grants, agreements, or partnerships with nonprofit entities related to conservation service opportunities; and

2. negotiating or entering into pay-for-success contracts in accordance with § 13–112.1 of this Division II; [and]

(xix) the State Archives for preservation, conservation, proper care, restoration, and transportation of fine art or decorative art that is:

1. in the custody of the Commission on Artistic Property; and

2. owned by or loaned to the State; AND

**(XX) THE DEPARTMENT OF GENERAL SERVICES, THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, THE DEPARTMENT OF PLANNING, AND THE DEPARTMENT OF TRANSPORTATION FOR NEGOTIATING OR ENTERING INTO AGREEMENTS OR PARTNERSHIPS WITH NONPROFIT ENTITIES FOR PROJECTS RELATED TO HISTORIC PRESERVATION, ARCHAEOLOGY, OR CONSERVATION SERVICE OPPORTUNITIES;**

**(b) (5) SECTION 13–218(F) OF THIS ARTICLE APPLIES TO A CONTRACT DESCRIBED UNDER SUBSECTION (A)(1)(XVIII)1 OR (XX) OF THIS SECTION.**

13–218.

**(F) A CONTRACT DESCRIBED UNDER § 11–203(A)(1)(XVIII)1 OR (XX) OF THIS ARTICLE SHALL INCLUDE CLAUSES REQUIRING THE NONPROFIT ENTITY TO:**

**(1) COMPETITIVELY PROCURE ANY SUBCONTRACTED SERVICES IN A TRANSPARENT MANNER IN ACCORDANCE WITH APPLICABLE STATE LAW;**

**(2) PROVIDE ANNUAL REPORTS TO THE UNIT ON PARTNERSHIP OUTCOMES AND EXPENDITURES; AND**

**(3) MAXIMIZE OPPORTUNITIES FOR COMMUNITY ENGAGEMENT RELATED TO THE HISTORIC PRESERVATION, ARCHAEOLOGY, OR CONSERVATION SERVICE OPPORTUNITY.**

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