

SENATE BILL 143

P2

SB 688/25 – FIN & B&T

(PRE-FILED)

6lr1185

By: Senator Benson

Requested: October 14, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Public Works Contracts – Apprenticeship Requirements** 3 **(Maryland Workforce Apprenticeship Utilization Act)**

4 FOR the purpose of altering certain apprenticeship requirements relating to public works
5 contracts to require certain contractors and subcontractors to employ a certain
6 number of qualified apprentices or journeyworkers necessary to meet a certain
7 applicable percentage for the project; altering which projects are subject to certain
8 apprenticeship requirements; repealing certain provisions of law that authorized
9 contractors and subcontractors to make certain payments to a certain apprenticeship
10 program in lieu of employing certain apprentices; requiring the Secretary of Labor
11 to annually establish a certain applicable percentage; authorizing the Secretary to
12 waive certain requirements under certain circumstances; establishing that certain
13 apprenticeship requirements apply to the University System of Maryland and
14 Baltimore City Community College; and generally relating to apprenticeship
15 requirements for public works contracts.

16 BY repealing and reenacting, without amendments,
17 Article – State Finance and Procurement
18 Section 11–203(e)(1) and (7)
19 Annotated Code of Maryland
20 (2021 Replacement Volume and 2025 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – State Finance and Procurement
23 Section 11–203(e)(5)(i), 17–601, 17–602, 17–603, 17–604, and 17–606
24 Annotated Code of Maryland
25 (2021 Replacement Volume and 2025 Supplement)

26 BY adding to
27 Article – State Finance and Procurement

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 17–601.1, 17–602.1, 17–604.1, 17–605.1, and 17–607
2 Annotated Code of Maryland
3 (2021 Replacement Volume and 2025 Supplement)

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

5 That the Laws of Maryland read as follows:

6 **Article – State Finance and Procurement**

7 11–203.

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

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

13 1. § 11–205 of this subtitle (“Collusion”);

14 2. § 11–205.1 of this subtitle (“Falsification, concealment,
15 etc., of material facts”);

16 3. § 13–219 of this article (“Required clauses –
17 Nondiscrimination clause”);

18 4. § 13–225 of this article (“Retainage”);

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

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

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

25 8. § 15–226 of this article (“Policy established; timing of
26 payments; notice upon nonpayment; disputes; appeals”); [and]

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

29 **10. TITLE 17, SUBTITLE 6 OF THIS ARTICLE**
30 **“APPRENTICESHIP REQUIREMENTS FOR PUBLIC WORKS CONTRACTS”.**

(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:

5 1. another unit;

10 5. an agency or political subdivision of a government; or

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

15 1. direct resale;

16 2. remanufacture and subsequent resale; or

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

27 17-601.

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

29 (B) "APPLICABLE PERCENTAGE" MEANS THE PERCENTAGE OF TOTAL
30 LABOR HOURS OF WORK ON A COVERED PROJECT, INCLUDING CONSTRUCTION,

1 ALTERATION, AND REPAIR WORK, PERFORMED BY AN APPRENTICE OR A
2 JOURNEYWORKER, ESTABLISHED UNDER § 17–602.1 OF THIS SUBTITLE.

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

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

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

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

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

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

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

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

20 **(1) FOREMEN;**

21 **(2) SUPERINTENDENTS;**

22 **(3) OWNERS; OR**

23 **(4) ANY PERSON EMPLOYED IN A BONA FIDE EXECUTIVE,**
24 **ADMINISTRATIVE, OR PROFESSIONAL CAPACITY, AS DEFINED IN 29 C.F.R. PART**
25 **541.**

26 **[(g)] (I)** “Participates in an apprenticeship training program” means that a
27 contractor or subcontractor makes regular financial contributions for each covered craft to
28 apprenticeship training programs for covered crafts during the term of the covered project
29 that are at least equal to the hourly fringe benefit contribution rates required for
30 apprenticeship training by the applicable prevailing wage determination for the project, as
31 specified by the Secretary.

1 **(J) “QUALIFIED APPRENTICE OR JOURNEYWORKER” MEANS AN**
2 **INDIVIDUAL WHO IS PARTICIPATING IN AN APPRENTICESHIP TRAINING PROGRAM.**

3 **[(h)] (K) “Secretary” means the Secretary of Labor.**

4 **17–601.1.**

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

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

11 **17–602.**

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

13 (b) The Fund consists of:

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

16 (2) penalties collected as a result of violations of this subtitle and Subtitle
17 6A of this title; and

18 (3) penalties collected as a result of violations of Title 14, Subtitle 8 of this
19 article.

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

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

24 (e) The Secretary shall use money in the **[fund] FUND** to:

25 (1) promote preapprenticeship programs and other workforce development
26 programs in the State’s public secondary schools and community colleges that assist
27 students in preparing for and entering apprenticeship training programs; and

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

1 17-602.1.

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

5 **(B) ON OR BEFORE DECEMBER 31, 2027, AND EACH YEAR THEREAFTER,**
6 **THE SECRETARY SHALL SET THE APPLICABLE PERCENTAGE THAT WILL APPLY FOR**
7 **THE FOLLOWING CALENDAR YEAR.**

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

11 17-603.

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

14 (1) the contractor [participates in an apprenticeship training program for
15 each covered craft in which it will employ persons for the covered project] **IS EMPLOYING**
16 **THE NUMBER OF QUALIFIED APPRENTICES OR JOURNEYWORKERS FOR A COVERED**
17 **PROJECT NECESSARY TO MEET THE APPLICABLE PERCENTAGE FOR THE COVERED**
18 **PROJECT; OR**

19 (2) the contractor will make payments to the Fund[; or

20 (3) the contractor will make payments in amounts determined under §
21 17-605 of this subtitle to a registered apprenticeship program or to an organization that
22 has registered apprenticeship programs for the purpose of supporting these programs].

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

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

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

1 17-604.

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

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

9 (2) the subcontractor will make payments to the Fund[; or

10 (3) the subcontractor will make payments in amounts determined under §
11 17-605 of this subtitle to a registered apprenticeship program or to an organization that
12 has registered apprenticeship programs for the purpose of supporting these programs].

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

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

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

24 **17-604.1.**

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

31 (B) **THE SECRETARY MAY WAIVE THE REQUIREMENTS UNDER § 17-603 OR**
32 § 17-604 OF THIS SUBTITLE IF A CONTRACTOR OR SUBCONTRACTOR SUBMITS A
33 WRITTEN WAIVER APPLICATION, INCLUDING ANY SUPPORTING DOCUMENTATION
34 REQUIRED BY THE SECRETARY, DEMONSTRATING THAT THE CONTRACTOR OR
35 SUBCONTRACTOR:

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

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

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

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

20 17-605.1.

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

(1) FOR EACH APPRENTICE OR JOURNEYWORKER:

(I) THE NAME OF THE APPRENTICE OR JOURNEYWORKER:

29 (III) THE APPRENTICE REGISTRATION OR IDENTIFICATION
30 NUMBER;

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

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

13 (c) THE DEPARTMENT SHALL MAINTAIN ON ITS WEBSITE:

19 17-606.

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

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

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

29 (2) Any person, firm, or corporation that is found to have made willfully a
30 false or fraudulent representation or omission regarding a material fact in connection with

1 prevailing wage records required by this section shall be liable for a civil penalty in an
2 amount of up to \$1,000 for each employee and each falsified record.

3 (3) Penalties shall be recoverable [in civil actions and paid to the State]
4 **UNDER THE MARYLAND FALSE CLAIMS ACT.**

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

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

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

12 **17-607.**

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

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