



*The Voice of Merit Construction*

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TO: COMMITTEE ON GOVERNMENT, LABOR, AND ELECTIONS

FROM: ASSOCIATED BUILDERS AND CONTRACTORS

RE: H.B. 1173 –STATE PROCUREMENT – CONTRACTORS AND VENDORS

POSITION: **OPPOSE**

thank you, Chair and members of the committee, for the opportunity to provide testimony on *House Bill 1173*.

While we appreciate the sponsors' intent to promote accountability in how state funds are spent, we oppose this bill as currently written because it **unnecessarily and over-broadly restricts the rights of contractors and vendors** who contract with the State of Maryland. This measure would prohibit contractors from using public funds or resources in ways that could be construed as supporting or opposing employee organizations. Multiple areas of concerns.

### **Chills Free Speech and Associational Rights**

By broadly defining what constitutes “influencing” employee decisions about union support or membership, the bill risks chilling constitutionally protected speech and association by private entities. Contractors should be allowed to communicate their viewpoints to their employees without fear of penalty when not using state funds for direct political expenditure.

### **Potential Negative Impact on Contracting Environment**

Restrictions like this could deter qualified vendors from doing business with the State of Maryland due to uncertainty about compliance. Maryland already competes nationally for contractors in key sectors; unnecessary procurement restrictions could have a chilling effect on competition and drive up costs.

### **Duplicative of Existing Law**

Federal and state labor laws already govern employer conduct regarding union organizing and interference. This includes protections under the National Labor Relations Act and Maryland labor law. This bill adds another layer of restriction without clear evidence of a problem that needs this specific statutory remedy.

For these reasons, we respectfully **oppose House Bill 1173** in its current form. We urge the committee to consider narrowly tailored alternatives that protect the State's interests without infringing on core free speech and employment rights or adding burdensome restrictions on public procurement.

Matt Teffeau, Director of  
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