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BILL: SB 646
TITLE: Public School System Contracts - Prohibited Provisions
DATE: April 1, 2026
POSITION: Favorable
COMMITTEE: House Ways and Means Committee
CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four local school superintendents, **supports** Senate Bill 646.

This bill prohibits specified provisions from being included in a public school system contract, except as required by State or federal law. If a public school system contract contains one of the specified provisions, the provision is void and the contract is enforceable as if it did not contain the provision. A public school system contract that contains one of the specified provisions must be governed by and construed in accordance with State law, notwithstanding any term or condition to the contrary in the contract. The bill applies only prospectively and does not apply to a public school system contract executed before the effective date of the bill (or to renewals or extensions of such contracts), or to collective bargaining agreements.

PSSAM supports this legislation that extends the same contracting streamline and protections enacted in 2024 for State agencies and public universities to public school systems.

The purpose of this legislation is to reduce administrative burden by making certain contract provisions void and unenforceable as a matter of Maryland law, without requiring negotiation. Too often, school systems are required to negotiate over boilerplate vendor terms that are inconsistent with Maryland law and ultimately unenforceable. This consumes valuable staff time and public resources without changing the legal outcome.

Local school systems enter into thousands of contracts each year. Even routine, low-cost, or no-cost agreements frequently require legal review and negotiation of standard vendor provisions, delaying routine business operations and increasing administrative costs.

This legislation provides clear statutory authority identifying specified provisions as void and unenforceable, thereby eliminating repetitive negotiations over boilerplate terms. This legislation will streamline procurement processes, reduce exposure to other states' laws, and avoid unnecessary time and expense negotiating standard vendor language.

The General Assembly granted this commonsense authority to State agencies and public universities in 2024, and it has proven to be an effective and efficient tool for safeguarding public funds. This bill simply extends those same cost- and time-saving legal efficiencies to Maryland's public school systems.

Our colleagues at MABE have provided additional operational and legal detail in their written testimony. We appreciate their leadership and are fully supportive of their advocacy on this legislation.

Therefore, PSSAM **supports** Senate Bill 646 and requests a **favorable** report.