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Budget and Taxation Committee

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THE SENATE OF MARYLAND  
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**Senate Bill 646 – Public School Contracts – Prohibited Provisions**

April 1, 2026

Madame Chairman and Members of the Ways and Means Committee:

Maryland's 24 local boards of education enter into hundreds of contracts each year. Many vendor agreements include standardized provisions such as out-of-state governing law, broad indemnification, or mandatory arbitration. Even routine transactions, including low-cost or no-cost contracts, require review and negotiation over boilerplate terms. When procurement and legal teams must repeatedly identify and negotiate these provisions, it consumes staff time and public resources. The impact is delay and measurable administrative cost.

Senate Bill 646 provides Maryland's local school systems with the same contract streamlining and protections enacted in 2024 for State agencies and public universities. That framework provides that contract provisions inconsistent with Maryland law or public policy are void as a matter of law. By establishing this rule in statute, the bill eliminates the need for repetitive negotiation over terms that conflict with established public policy and gives school systems a clear statutory reference point to refer to when reviewing vendor agreements.

Of note, Senate Bill 646 does NOT include collective bargaining agreements. The bill is intended to provide clarity and efficiency in public procurement contracting only, not labor contracts.

Senate Bill 646 is a practical, measured extension of an approach that is already working, allowing public school systems to save taxpayer dollars by applying the same contracting protection standards that already apply elsewhere in State government.

I respectfully request a favorable report on Senate Bill 646 with amendments.