

HB0513/883225/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 513
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “authorizing” and substitute “requiring”; in the same line, strike “Public Service Commission” and substitute “Maryland Department of Labor”; and in line 7, after “company;” insert “requiring certain contractors and subcontractors to request from the Department a copy of a certain wage determination and ensure that certain employees are paid in compliance with the existing prevailing wage rates; requiring the Department to provide certain guidance to a certain contractor or subcontractor; requiring the Commissioner of Labor and Industry to determine certain prevailing wages on or before a certain date under certain circumstances; requiring the Commissioner to waive certain civil penalties and prohibiting the Commissioner from taking certain actions against a certain contractor or subcontractor under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 1, after “Industry” insert “IN A PROCESS SUBSTANTIALLY SIMILAR TO THE PROCESS ESTABLISHED”; strike line 3 in its entirety and substitute:

“(C) IN ACCORDANCE WITH TITLE 3, SUBTITLE 5 OF THE LABOR AND EMPLOYMENT ARTICLE, THE MARYLAND DEPARTMENT OF LABOR”;

in lines 7 and 8, strike “UNDER TITLE 17, SUBTITLE 2 OF THE STATE FINANCE AND PROCUREMENT ARTICLE”; after line 8, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2023, contractors and subcontractors subject to § 5–305 of the Public Utilities Article, as enacted by Section 1 of this Act, shall:

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(1) request from the Maryland Department of Labor a copy of a wage determination of the existing prevailing wage rates applicable to work covered by § 5–305 of the Public Utilities Article, as enacted by Section 1 of this Act; and

(2) ensure that all employees performing covered work are paid in compliance with the existing prevailing wage rates.

(b) (1) On receipt of a request from a contractor or subcontractor in accordance with subsection (a) of this section, the Maryland Department of Labor shall promptly provide guidance to the contractor or subcontractor regarding which of the existing prevailing wage rates and classifications apply to covered work.

(2) If the Maryland Department of Labor determines that no existing prevailing wage rates and classifications apply to the covered work, the Commissioner of Labor and Industry shall, on or before December 1, 2023, determine the initial prevailing wage rates required under this Act by hand survey.

SECTION 3. AND BE IT FURTHER ENACTED, That the Commissioner of Labor and Industry shall waive all civil penalties for, and may not take any related action against, a contractor or subcontractor who, on or before the effective date of this Act, is not in compliance with the prevailing wage requirements under § 5–305 of the Public Utilities Article, as enacted by Section 1 of this Act, if the contractor or subcontractor comes into compliance with the prevailing wage requirements by March 1, 2024.”;

in line 9, strike “2.” and substitute “4.”; and in line 10, strike “October” and substitute “June”.