

HOUSE BILL 62

P2

8lr1230

(PRE-FILED)

By: **Delegate Angel**

Requested: November 15, 2017

Introduced and read first time: January 10, 2018

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement Contracts – Gender Wage Gap Reporting**

3 FOR the purpose of providing for the application of this Act to certain procurements;
4 requiring bidders or offerors to report the difference between the mean wages of male
5 employees and female employees when submitting a bid or an offer on a procurement
6 contract to a unit of State or local government; requiring bidders or offerors to report
7 the difference between the median wages of male employees and female employees
8 when submitting a bid or an offer on a procurement contract to a unit of State or
9 local government; requiring bidders or offerors to report the number of employees
10 used for the determination of gender wage gap calculations; and generally relating
11 to procurement contracts.

12 BY repealing and reenacting, with amendments,
13 Article – State Finance and Procurement
14 Section 11–203(b)(1)
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2017 Supplement)

17 BY adding to
18 Article – State Finance and Procurement
19 Section 12–601 to be under the new subtitle “Subtitle 6. Disclosure Requirements
20 Regarding Gender Wage Gap”
21 Annotated Code of Maryland
22 (2015 Replacement Volume and 2017 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 **Article – State Finance and Procurement**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11–203.

2 (b) (1) The following provisions of this Division II apply to each procurement
3 enumerated in subsection (a) of this section:

4 (i) § 11–205 of this subtitle (“Collusion”);

5 (ii) § 10–204 of this article (“Approval for designated contracts”);

6 (iii) Title 12, Subtitle 2 of this article (“Supervision of Capital
7 Expenditures and Real Property Leases”);

8 (iv) **TITLE 12, SUBTITLE 6 OF THIS ARTICLE (“DISCLOSURE
9 REQUIREMENTS REGARDING GENDER WAGE GAP”);**

10 (v) § 13–219 of this article (“Required clauses – Nondiscrimination
11 clause”);

12 [(v)] (VI) § 13–221 of this article (“Disclosures to Secretary of
13 State”);

14 [(vi)] (VII) Title 12, Subtitle 4 of this article (“Policies and Procedures
15 for Exempt Units”);

16 [(vii)] (VIII) § 15–112 of this article (“Change orders”);

17 [(viii)] (IX) Title 16 of this article (“Suspension and Debarment of
18 Contractors”); and

19 [(ix)] (X) Title 17 of this article (“Special Provisions – State and
20 Local Subdivisions”).

21 **SUBTITLE 6. DISCLOSURE REQUIREMENTS REGARDING GENDER WAGE GAP.**

22 **12–601.**

23 **IN CONJUNCTION WITH THE SUBMISSION OF A BID OR AN OFFER ON A
24 PROCUREMENT CONTRACT TO A UNIT OF STATE OR LOCAL GOVERNMENT, A BIDDER
25 OR AN OFFEROR SHALL REPORT TO THE UNIT:**

26 **(1) THE DIFFERENCE BETWEEN THE MEAN WAGES OF MALE
27 EMPLOYEES AND FEMALE EMPLOYEES;**

28 **(2) THE DIFFERENCE BETWEEN THE MEDIAN WAGES OF MALE**

1 EMPLOYEES AND FEMALE EMPLOYEES; AND

2 (3) THE NUMBER OF EMPLOYEES USED FOR THE DETERMINATION OF
3 ITEMS (1) AND (2) OF THIS SECTION.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2018.