

HB1081/813726/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1081

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Edelson**” and substitute “**, Edelson, Allen, Behler, Boyce, Foley, Guyton, Healey, Holmes, Lewis, Odom, Stein, and Ziegler**”; in line 15, strike “projects” and substitute “and maintenance contracts and associated transit facilities and vehicles”; in line 21, strike “adding to” and substitute “repealing and reenacting, with amendments,”; in line 23, strike “11-203(l)” and substitute “4-415, 10-202, 12-101(a), 12-103, 12-107(a), 12-108, and 12-202(a)”; and after line 25, insert:

“BY repealing and reenacting, without amendments,
Article - State Finance and Procurement
Section 12-101(b), 12-107(b)(3), and 12-202(b)
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 23 through 26, inclusive, and substitute:

“4-415.

(a) This section does not apply to:

(1) any capital expenditures by the Department of Transportation or the Maryland Transportation Authority in connection with State roads, bridges, or highways; OR

(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES.

- (b) Before execution, a contract for the acquisition of land shall be:
- (1) reviewed by the Secretary of General Services; and
 - (2) except as provided in § 12-204 of this article, after that review, approved by the Board of Public Works.
- (c) (1) This subsection does not apply to any capital expenditure by:
- (i) the Maryland Aviation Administration;
 - (ii) the Maryland Port Administration; or
 - (iii) the Maryland Transit Administration.
- (2) At least 40 days before the Board of Public Works may act on a land acquisition, the Division shall give written notice of a potential acquisition of land:
- (i) to the governing body of the county in which the land is located; and
 - (ii) if the land is located within a municipal corporation, to the governing body of the municipal corporation.
- (3) Within 30 days after receiving notice under this subsection, the governing body may submit written comments to the Division.

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(d) The Board of Public Works shall supervise the expenditure of any money that the General Assembly appropriates for the acquisition of land.

10-202.

(a) This section does not apply to property to be acquired in connection with:

(1) State roads, bridges, or highways; OR

(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES.

(b) Subject to Title 12 of the Real Property Article, the Board may condemn property for State use.

(c) The Department of General Services, with the approval of the Board, shall adopt regulations in accordance with Title 10, Subtitle 1 of the State Government Article that establish a uniform method of determining the value of any applicable life estate discount for property condemned in accordance with this section.

12-101.

(a) This section does not apply to:

(1) (I) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12-202 of this title; or

(II) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION

(Over)

FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES; OR

(2) procurements by the Department of General Services for the purpose of modernizing cybersecurity infrastructure for the State valued below \$1,000,000.

(b) (1) The Board may control procurement by units.

(2) To implement the provisions of this Division II, the Board may:

(i) set policy;

(ii) adopt regulations, in accordance with Title 10, Subtitle 1 of the State Government Article; and

(iii) establish internal operational procedures consistent with this Division II.

(3) The Board shall ensure that the regulations of the primary procurement units provide for procedures that are consistent with this Division II and Title 13, Subtitle 4 of the State Personnel and Pensions Article and, to the extent the circumstances of a particular type of procurement or a particular unit do not require otherwise, are substantially the same.

(4) The Board may delegate any of its authority that it determines to be appropriate for delegation and may require prior Board approval for specified procurement actions.

(5) Except as limited by the Maryland Constitution, the Board may exercise any control authority conferred on a primary procurement unit by this Division

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II and, to the extent that its action conflicts with the action of the primary procurement unit, the action of the Board shall prevail.

12-103.

(a) This section does not apply to:

(1) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12-202 of this title; OR

(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES, AS PROVIDED IN § 12-202 OF THIS TITLE.

(b) Notwithstanding any delegation of authority under § 12-101 of this subtitle, the Board retains full authority to engage in procurement of services and supplies for itself.

(c) By resolution, the Board may authorize a Board member or a unit to exercise all or any part of the authority of the Board for a specific Board procurement or for a particular class of Board procurements.

12-107.

(a) This section does not apply to:

(1) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12-202 of this title; OR

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(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES.

(b) Subject to the authority of the Board, jurisdiction over procurement is as follows:

(3) the Department of Transportation and the Maryland Transportation Authority, without the approval of any of the other primary procurement units, may engage in the procurement of:

(i) construction that is related to transportation, as provided in the Transportation Article;

(ii) construction related services that are related to transportation, as provided in the Transportation Article;

(iii) architectural or engineering services that are related to transportation, under Title 13, Subtitle 3 of this article;

(iv) supplies for transportation-related activities, including information technology supplies that are subject to Title 3.5 of this article, but excluding:

1. supplies funded by the proceeds from State general obligation bonds; and

2. insurance;

(v) services for transportation-related activities, including information technology services that are subject to Title 3.5 of this article, but excluding

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banking and financial services under the authority of the State Treasurer under item (1) of this subsection;

(vi) rolling stock and other property peculiar to the operation of a transit system, as provided in § 7-403 of the Transportation Article;

(vii) supplies for aeronautics related activities, including motor vehicles and information processing supplies, but excluding:

1. supplies funded by the proceeds from State general obligation bonds; and

2. insurance; and

(viii) services for aeronautics related activities, including information processing services, but excluding banking and financial services under the authority of the State Treasurer under item (1) of this subsection; and

12-108.

(a) This section does not apply to:

(1) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12-202 of this title; OR

(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES, AS PROVIDED IN § 12-202 OF THIS TITLE.

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(b) Subject to the approval of the Board and under the coordination of the Governor, each of the primary procurement units shall:

(1) adopt regulations to carry out this Division II;

(2) send to the Board a copy of each proposed regulation under item (1) of this subsection; and

(3) send to the Board a copy of each internal operating procedure that the primary procurement unit adopts.

12-202.

(a) This section does not apply to capital expenditures:

(1) for public school construction under Title 5, Subtitle 3 of the Education Article; or

(2) (I) by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways; OR

(II) FOR MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES.

(b) Before execution, a contract for a capital expenditure other than in connection with a State correctional facility, St. Mary's College of Maryland, Morgan State University, or the University System of Maryland shall be:

(1) reviewed by the Secretary of General Services; and

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(2) except as provided in § 12–203 of this subtitle and § 13–108 of this article, after that review, approved by the Board.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

4–415.

(a) This section does not apply to:

(1) any capital expenditures by the Department of Transportation or the Maryland Transportation Authority in connection with State roads, bridges, or highways; OR

(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS VALUED BELOW \$500,000 TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES.

(b) Before execution, a contract for the acquisition of land shall be:

(1) reviewed by the Secretary of General Services; and

(2) except as provided in § 12–204 of this article, after that review, approved by the Board of Public Works.

(c) (1) This subsection does not apply to any capital expenditure by:

(i) the Maryland Aviation Administration;

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(ii) the Maryland Port Administration; or

(iii) the Maryland Transit Administration.

(2) At least 40 days before the Board of Public Works may act on a land acquisition, the Division shall give written notice of a potential acquisition of land:

(i) to the governing body of the county in which the land is located; and

(ii) if the land is located within a municipal corporation, to the governing body of the municipal corporation.

(3) Within 30 days after receiving notice under this subsection, the governing body may submit written comments to the Division.

(d) The Board of Public Works shall supervise the expenditure of any money that the General Assembly appropriates for the acquisition of land.

10-202.

(a) This section does not apply to property to be acquired in connection with:

(1) State roads, bridges, or highways; OR

(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS VALUED BELOW \$500,000 TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES.

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(b) Subject to Title 12 of the Real Property Article, the Board may condemn property for State use.

(c) The Department of General Services, with the approval of the Board, shall adopt regulations in accordance with Title 10, Subtitle 1 of the State Government Article that establish a uniform method of determining the value of any applicable life estate discount for property condemned in accordance with this section.

12-101.

(a) This section does not apply to:

(1) (I) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12-202 of this title; or

(II) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS VALUED BELOW \$500,000 TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES, AS PROVIDED IN § 12-202 OF THIS TITLE; OR

(2) procurements by the Department of General Services for the purpose of modernizing cybersecurity infrastructure for the State valued below \$1,000,000.

(b) (1) The Board may control procurement by units.

(2) To implement the provisions of this Division II, the Board may:

(i) set policy;

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(ii) adopt regulations, in accordance with Title 10, Subtitle 1 of the State Government Article; and

(iii) establish internal operational procedures consistent with this Division II.

(3) The Board shall ensure that the regulations of the primary procurement units provide for procedures that are consistent with this Division II and Title 13, Subtitle 4 of the State Personnel and Pensions Article and, to the extent the circumstances of a particular type of procurement or a particular unit do not require otherwise, are substantially the same.

(4) The Board may delegate any of its authority that it determines to be appropriate for delegation and may require prior Board approval for specified procurement actions.

(5) Except as limited by the Maryland Constitution, the Board may exercise any control authority conferred on a primary procurement unit by this Division II and, to the extent that its action conflicts with the action of the primary procurement unit, the action of the Board shall prevail.

12-103.

(a) This section does not apply to:

(1) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12-202 of this title; OR

(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS VALUED BELOW \$500,000 TO SUPPORT SERVICE ON MARYLAND TRANSIT

ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES, AS PROVIDED IN § 12-202 OF THIS TITLE.

(b) Notwithstanding any delegation of authority under § 12-101 of this subtitle, the Board retains full authority to engage in procurement of services and supplies for itself.

(c) By resolution, the Board may authorize a Board member or a unit to exercise all or any part of the authority of the Board for a specific Board procurement or for a particular class of Board procurements.

12-107.

(a) This section does not apply to:

(1) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12-202 of this title; OR

(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS VALUED BELOW \$500,000 TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES, AS PROVIDED IN § 12-202 OF THIS TITLE.

(b) Subject to the authority of the Board, jurisdiction over procurement is as follows:

(3) the Department of Transportation and the Maryland Transportation Authority, without the approval of any of the other primary procurement units, may engage in the procurement of:

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(i) construction that is related to transportation, as provided in the Transportation Article;

(ii) construction related services that are related to transportation, as provided in the Transportation Article;

(iii) architectural or engineering services that are related to transportation, under Title 13, Subtitle 3 of this article;

(iv) supplies for transportation-related activities, including information technology supplies that are subject to Title 3.5 of this article, but excluding:

1. supplies funded by the proceeds from State general obligation bonds; and

2. insurance;

(v) services for transportation-related activities, including information technology services that are subject to Title 3.5 of this article, but excluding banking and financial services under the authority of the State Treasurer under item (1) of this subsection;

(vi) rolling stock and other property peculiar to the operation of a transit system, as provided in § 7-403 of the Transportation Article;

(vii) supplies for aeronautics related activities, including motor vehicles and information processing supplies, but excluding:

1. supplies funded by the proceeds from State general obligation bonds; and

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2. insurance; and

(viii) services for aeronautics related activities, including information processing services, but excluding banking and financial services under the authority of the State Treasurer under item (1) of this subsection; and

12-108.

(a) This section does not apply to:

(1) capital expenditures by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways, as provided in § 12-202 of this title; OR

(2) MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS VALUED BELOW \$500,000 TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES, AS PROVIDED IN § 12-202 OF THIS TITLE.

(b) Subject to the approval of the Board and under the coordination of the Governor, each of the primary procurement units shall:

(1) adopt regulations to carry out this Division II;

(2) send to the Board a copy of each proposed regulation under item (1) of this subsection; and

(3) send to the Board a copy of each internal operating procedure that the primary procurement unit adopts.

12-202.

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(a) This section does not apply to capital expenditures:

(1) for public school construction under Title 5, Subtitle 3 of the Education Article; or

(2) (I) by the Department of Transportation or the Maryland Transportation Authority, in connection with State roads, bridges, or highways; OR

(II) BY THE DEPARTMENT OF TRANSPORTATION OR THE MARYLAND TRANSIT ADMINISTRATION, FOR MAINTENANCE AND CAPITAL CONSTRUCTION CONTRACTS VALUED BELOW \$500,000 TO SUPPORT SERVICE ON MARYLAND TRANSIT ADMINISTRATION FIXED GUIDEWAY SYSTEMS AND ASSOCIATED TRANSIT FACILITIES AND VEHICLES.

(b) Before execution, a contract for a capital expenditure other than in connection with a State correctional facility, St. Mary's College of Maryland, Morgan State University, or the University System of Maryland shall be:

(1) reviewed by the Secretary of General Services; and

(2) except as provided in § 12-203 of this subtitle and § 13-108 of this article, after that review, approved by the Board.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

AMENDMENT NO. 3

On page 3, in line 21, strike the second “A” and substitute “THE”; and in the same line, after “UNION” insert “REPRESENTING THE PLURALITY OF FRONTLINE WORKERS”.

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AMENDMENT NO. 4

On page 4, in line 1, after “(2)” insert “(1)”; and after line 2, insert:

“(II) THE GOVERNOR SHALL APPOINT A STUDENT WHO REGULARLY USES ADMINISTRATION SERVICES TO COMMUTE TO AND FROM SCHOOL AS A NONVOTING BOARD MEMBER.”

AMENDMENT NO. 5

On page 6, in line 24, after “STANDARDS” insert “, **CONSISTENT WITH TITLE 5 OF THE GENERAL PROVISIONS ARTICLE AND § 7-211 OF THIS SUBTITLE,**”; and in line 25, strike “FINANCIAL” and substitute “**PROFESSIONAL, FINANCIAL,**”.

AMENDMENT NO. 6

On page 7, in line 20, after “MEANS” insert “**THE ADMINISTRATION’S**”; in line 21, strike “**MARC COMMUTER TRAIN SERVICE**” and substitute “**MARYLAND AREA REGIONAL COMMUTER (MARC) TRAIN SERVICE**”; and in line 22, strike “**THE ADMINISTRATION’S COMMUTER**” and substitute “**COMMUTER**”.

AMENDMENT NO. 7

On page 15, in line 5, after “(c)” insert “(1)”; in the same line, strike “THE” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**”; and after line 7, insert:

“(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO LIMIT OR IMPAIR THE APPLICATION OF 49 U.S.C. § 28103, OR THE ADMINISTRATION’S OBLIGATIONS UNDER AGREEMENTS ENTERED INTO PURSUANT TO THAT PROVISION OF FEDERAL LAW.”

AMENDMENT NO. 8

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On page 16, in line 5, strike “2.” and substitute “4.”; in line 13, strike “where” and substitute “:

(1) WHERE”;

in lines 13, 18, and 21, in each instance, strike the brackets; in lines 13 and 14, strike “**HIGHWAY ADMINISTRATION**”; strike beginning with the first “**OR**” in line 15 down through “**PURPOSES**” in line 16; strike beginning with “**HIGHWAY**” in line 19 down through “**AGENCIES**” in line 20 and substitute “, OR A SUCCESSOR STATE AGENCY”; strike beginning with “**HIGHWAY**” in line 21 down through “**AGENCIES**” in line 22 and substitute “, OR A SUCCESSOR STATE AGENCY”; in line 24, after “jury” insert “; OR

(2) WHERE SUCH PROPERTY IN THE JUDGMENT OF THE MARYLAND TRANSIT ADMINISTRATION, OR A SUCCESSOR STATE AGENCY, IS NEEDED BY THE STATE FOR TRANSIT PURPOSES, THE GENERAL ASSEMBLY MAY PROVIDE THAT SUCH PROPERTY MAY BE TAKEN IMMEDIATELY UPON PAYMENT THEREFOR TO THE OWNER OR OWNERS THEREOF BY SAID MARYLAND TRANSIT ADMINISTRATION, OR SUCCESSOR STATE AGENCY, OR INTO COURT, SUCH AMOUNT AS SAID MARYLAND TRANSIT ADMINISTRATION, OR SUCCESSOR STATE AGENCY, SHALL ESTIMATE TO BE OF THE FAIR VALUE OF SAID PROPERTY, PROVIDED SUCH LEGISLATION ALSO REQUIRES THE PAYMENT OF ANY FURTHER SUM THAT MAY SUBSEQUENTLY BE AWARDED BY A JURY”;

and in line 25, strike “3.” and substitute “5.”.

AMENDMENT NO. 9

On page 23, in lines 15 and 24, strike “4.” and “5.”, respectively, and substitute “6.” and “7.”, respectively; and in lines 16 and 25, in each instance, strike “1” and substitute “3”.

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On page 24, in lines 3, 18, 29, and 30, strike “6.”, “7.”, “8.”, and “2”, respectively, and substitute “8.”, “9.”, “11.”, and “4”, respectively; and after line 28, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2026, contingent on the failure of (H.B. 587)(6lr0903) during the 2026 Session of the General Assembly. If (H.B. 587)(6lr0903) takes effect, Section 1 of this Act, with no further action required by the General Assembly, shall be null and void. If Section 1 of this Act takes effect, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further effect.”

On page 25, in lines 1, 2, 12, 15, and 18, strike “9.”, “2”, “2”, “3”, and “12.”, respectively, and substitute “12.”, “4”, “4”, “5”, and “15.”, respectively; in line 11, strike “10.” and substitute “13.”; in the same line, strike “3” and substitute “5”; in line 14, strike “11.” and substitute “14.”; in the same line, strike “10” and substitute “13”; and in line 19, strike “9 and 11” and substitute “10, 12, and 14”.