

SENATE BILL 641

P2

(6lr3062)

ENROLLED BILL

— Budget and Taxation/Government, Labor, and Elections —

Introduced by **Senator Corderman**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **State Procurement – Exceptions – Historic Preservation Services**
3 ***(The Honorable Barrie S. Ciliberti Historic Preservation Act of 2026)***

4 FOR the purpose of establishing certain exceptions to State procurement requirements for
5 certain contracts with nonprofit entities related to historic preservation service
6 opportunities; requiring certain historic preservation, archaeology, and conservation
7 service contracts to include certain clauses; and generally relating to State
8 procurement and historic preservation services.

9 BY repealing and reenacting, with amendments,
10 Article – State Finance and Procurement
11 Section 11–203(a)(1)(xviii) and (xix)
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY adding to
 2 Article – State Finance and Procurement
 3 Section 11–203(a)(1)(xx) and (b)(5) and 13–218(f)
 4 Annotated Code of Maryland
 5 (2021 Replacement Volume and 2025 Supplement)

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

8 **Article – State Finance and Procurement**

9 11–203.

10 (a) Except as provided in subsection (b) of this section, this Division II does not
 11 apply to:

12 (1) procurement by:

13 (xviii) the Department of Natural Resources, for:

14 1. negotiating or entering into grants, agreements, or
 15 partnerships with nonprofit entities related to conservation service opportunities; and

16 2. negotiating or entering into pay–for–success contracts in
 17 accordance with § 13–112.1 of this Division II; [and]

18 (xix) the State Archives for preservation, conservation, proper care,
 19 restoration, and transportation of fine art or decorative art that is:

20 1. in the custody of the Commission on Artistic Property; and

21 2. owned by or loaned to the State; AND

22 **(XX) EXCEPT FOR A PROJECT THAT IS SUBJECT TO TITLE 17,**
 23 **SUBTITLE 2 OF THIS ARTICLE, THE DEPARTMENT OF GENERAL SERVICES, THE**
 24 **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, THE DEPARTMENT**
 25 **OF PLANNING, AND THE DEPARTMENT OF TRANSPORTATION FOR NEGOTIATING OR**
 26 **ENTERING INTO AGREEMENTS OR PARTNERSHIPS WITH NONPROFIT ENTITIES FOR**
 27 **PROJECTS RELATED TO HISTORIC PRESERVATION, ARCHAEOLOGY, OR**
 28 **CONSERVATION SERVICE OPPORTUNITIES;**

29 (b) **(5) SECTION 13–218(F) OF THIS ARTICLE APPLIES TO A CONTRACT**
 30 **DESCRIBED UNDER SUBSECTION (A)(1)(XVIII)1 OR (XX) OF THIS SECTION.**

31 13–218.

1 (F) A CONTRACT DESCRIBED UNDER § 11-203(A)(1)(XVIII)1 OR (XX) OF
2 THIS ARTICLE SHALL INCLUDE CLAUSES REQUIRING THE NONPROFIT ENTITY TO:

3 (1) SUBCONTRACT THE PERFORMANCE OF HISTORIC PRESERVATION,
4 ARCHAEOLOGY, AND CONSERVATION SERVICES TO THIRD-PARTY FIRMS;

5 (2) COMPETITIVELY PROCURE ANY SUBCONTRACTED SERVICES IN A
6 TRANSPARENT MANNER IN ACCORDANCE WITH APPLICABLE STATE LAW,
7 INCLUDING THE MINORITY BUSINESS ENTERPRISE REQUIREMENTS UNDER TITLE
8 14, SUBTITLE 3 OF THIS ARTICLE;

9 ~~(2)~~ (3) PROVIDE ANNUAL REPORTS TO THE UNIT ON PARTNERSHIP
10 OUTCOMES AND EXPENDITURES, INCLUDING MINORITY BUSINESS ENTERPRISE
11 SUBCONTRACTING UTILIZATION; AND

12 ~~(3)~~ (4) MAXIMIZE OPPORTUNITIES FOR COMMUNITY ENGAGEMENT
13 RELATED TO THE HISTORIC PRESERVATION, ARCHAEOLOGY, OR CONSERVATION
14 SERVICE OPPORTUNITY.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2026.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.