

17-304. PRICE OF AMERICAN STEEL PRODUCTS.

THE BOARD SHALL ADOPT REGULATIONS, IN ACCORDANCE WITH TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE, STATING THAT A BID OR OFFERED PRICE OF AN AMERICAN STEEL PRODUCT SHALL BE CONSIDERED REASONABLE IF IT DOES NOT EXCEED THE SUM OF THE BID OR OFFERED PRICE OF A SIMILAR STEEL PRODUCT OF FOREIGN ORIGIN, INCLUDING DUTY, PLUS:

(1) 20% OF THAT BID OR OFFERED PRICE; OR

(2) 30% OF THAT BID OR OFFERED PRICE IF THE STEEL PRODUCT IS PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA" AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR.

REVISOR'S NOTE: This section is new language derived without substantive change from former SF § 12-402(b).

In the introductory language of this section, the former words "for purposes of subsection (a) of this section" are deleted as surplusage.

Also in the introductory language of this section, the word "reasonable" is substituted for "not unreasonable", for clarity.

Defined terms: "American steel product" § 17-301
"Bid" § 11-101 "Board" § 11-101

17-305. PAYMENT.

(A) IN GENERAL.

A PUBLIC BODY MAY NOT PAY OR AUTHORIZE A PAYMENT TO A PERSON UNDER A CONTRACT SUBJECT TO §§ 17-303 AND 17-304 OF THIS SUBTITLE UNLESS THE PUBLIC BODY IS SATISFIED THAT THE PERSON HAS COMPLIED FULLY WITH THAT REQUIREMENT.

(B) RECOVERY OF ERRONEOUS PAYMENTS.

(1) IF A PERSON RECEIVES A PAYMENT THAT SHOULD NOT HAVE BEEN MADE UNDER SUBSECTION (A) OF THIS SECTION, THE ATTORNEY GENERAL MAY RECOVER THE PAYMENT DIRECTLY FROM THE PERSON WHO DID NOT COMPLY WITH §§ 17-303 AND 17-304 OF THIS SUBTITLE BY FILING A COMPLAINT IN THE CIRCUIT COURT FOR THE COUNTY WHERE THE CONTRACT WAS EXECUTED OR PERFORMED.

(2) THE ATTORNEY GENERAL MAY RECOVER A PAYMENT UNDER THIS SUBSECTION TO THE FULL EXTENT OF THE CONTRACT.

REVISOR'S NOTE: This section is new language derived without substantive change from former SF § 12-403.