

CHAPTER 650

(House Bill 316)

AN ACT concerning

Procurement - American Steel - Payment

FOR the purpose of altering a public body's authority to make certain payments under a contract subject to the "Buy American Steel" requirements of the procurement law; clarifying that a public body may not make certain payments for certain work that is not in compliance with certain requirements; altering the Attorney General's authority to recover certain payments from certain persons; and generally relating to certain payments for work subject to the "Maryland Buy American Steel Act".

BY repealing and reenacting, with amendments,

Article - State Finance and Procurement
Section 17-305
Annotated Code of Maryland
(1988 Replacement Volume)

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

Article - State Finance and Procurement

17-305.

(a) [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.] UNLESS A PUBLIC BODY IS SATISFIED THAT A PERSON HAS COMPLETED THE WORK IN FULL COMPLIANCE WITH §§ 17-303 AND 17-304 OF THIS SUBTITLE, THE PUBLIC BODY MAY NOT PAY OR AUTHORIZE A PAYMENT FOR WORK SUBJECT TO §§ 17-303 AND 17-304 OF THIS SUBTITLE TO A PERSON UNDER A CONTRACT.

(b) [(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 PORTION OF the payment THAT IS ATTRIBUTABLE TO WORK THAT DOES NOT COMPLY WITH §§ 17-303 AND 17-304 OF THIS SUBTITLE 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.