

(4) [shall] report immediately to the Comptroller the loss of any motor fuel, unless the loss is due to:

- (i) temperature correction; or
- (ii) a spill that is reported to another State unit.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1997.

Approved May 8, 1997.

**CHAPTER 408**

**(House Bill 162)**

AN ACT concerning

**Procurement – Security on Construction Contracts**

FOR the purpose of allowing a ~~pledge of~~ real property located in the State to be accepted as certain security on a construction contract in lieu of a certain bond or cash under certain circumstances; capping the amount of an acceptable mortgage or deed of trust based on the contractor's equity interest; requiring a mortgage or deed of trust above a specified value to be recorded; and generally relating to security on construction contracts under the ~~State Procurement Law~~ Maryland Little Miller Act.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17-104  
Annotated Code of Maryland  
(1995 Replacement Volume and 1996 Supplement)

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

**Article – State Finance and Procurement**

17-104.

(A) Payment security or performance security required under this subtitle shall be:

- (1) a bond executed by a surety company authorized to do business in the State;
- (2) cash in an amount equivalent to a bond; or
- (3) other security ~~{that}, INCLUDING A PLEDGE OF REAL PROPERTY LOCATED IN THE STATE WHICH SHALL BECOME A LIEN, PROVIDED THAT THE SECURITY~~ is satisfactory to the public body awarding the contract.