

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 62 (Delegate Angel)
Health and Government Operations

Procurement Contracts - Gender Wage Gap Reporting

This bill requires bidders or offerors who submit a bid or offer on a procurement contract to a State or local government agency, including State agencies otherwise exempt from most provisions of State procurement law, to report on differences in wages between male and female employees of the bidder or offeror.

Fiscal Summary

State Effect: None. The bill applies only to bidders and offerors on State and local procurement contracts.

Local Effect: None. The bill applies only to bidders and offerors on State and local procurement contracts.

Small Business Effect: Minimal.

Analysis

Bill Summary: The reports provided by a bidder or offeror on a procurement contract must include:

- the difference between the *mean* wages of male and female employees;
- the difference between the *median* wages of male and female employees; and
- the number of employees used to determine the mean and median wages.

Current Law: There is no requirement in State law for bidders or offerors to report on the difference in wages between their male and female employees.

The University System of Maryland, Morgan State University, St. Mary's College of Maryland, and public-private partnerships authorized by State law are exempt from most provisions of State procurement law. State law also exempts other agencies, in whole or in part, from State procurement law, including:

- Blind Industries and Services of Maryland;
- Maryland State Arts Council;
- Maryland Health and Higher Educational Facilities Authority;
- Department of Commerce;
- Maryland Food Center Authority;
- Maryland Public Broadcasting Commission;
- Maryland State Planning Council on Developmental Disabilities;
- Maryland Historical Trust;
- Rural Maryland Council;
- Maryland Health Insurance Plan;
- Maryland Energy Administration;
- Maryland Developmental Disabilities Administration;
- Maryland Stadium Authority;
- Maryland State Archives, for preservation, conservation, proper care, restoration, and transportation of specified fine art or decorative art;
- Maryland State Lottery and Gaming Control Agency;
- State Retirement and Pension System;
- Department of General Services, for rehabilitation of certain historical structures;
- Department of Natural Resources, for negotiating with nonprofit entities for projects related to conservation service opportunities;
- College Savings Plans of Maryland; and
- Chesapeake Bay Trust.

However, each exempt entity is subject to specified provisions of State procurement law, generally those related to maintaining the integrity of the procurement process. Under the bill, entities submitting bids or offers to these exempt agencies would have to include the required information regarding wage differences between their male and female employees.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Governor's Office of Small, Minority, and Women Business Affairs; Department of General Services; Department of Legislative Services

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