

## **Chapter 179**

**(Senate Bill 92)**

AN ACT concerning

### **State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring the Board to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 9A-602  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8-403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8-403(b)(28)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

#### **Article – Business Regulation**

9A-602.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no effect after July 1, [2013] **2023**.

### Article – State Government

8–403.

(a) On or before December 15 of the 2nd year before the evaluation date of a governmental activity or unit, the Legislative Policy Committee, based on a preliminary evaluation, may waive as unnecessary the evaluation required under this section.

(b) Except as otherwise provided in subsection (a) of this section, on or before the evaluation date for the following governmental activities or units, an evaluation shall be made of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units:

(28) Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of (§ 9A–201 of the Business Regulation Article: July 1, [2012] **2022**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, that:

(a) assesses the feasibility of requiring counties to enforce the State mechanical code;

(b) states whether the Board has adopted a regulation exempting individuals who install thermostats or switches under ~~the PeakRewards program~~ public service company demand response programs from licensing requirements;

(c) if the Board has adopted a regulation exempting individuals who install thermostats or switches under ~~the PeakRewards program~~ public service company demand response programs from licensing requirements:

(1) states whether the Board has verified that a public ~~utility~~ service company or a designee of a ~~utility~~ public service company has provided training and oversight to ensure that all unlicensed ~~PeakRewards~~ demand response program work is performed in a safe manner;

(2) summarizes complaints received by the Board related to the improper installation of thermostats or switches under ~~the PeakRewards program~~ public service company demand response programs; and

(3) summarizes the Board's efforts to address:

(i) complaints received by the Board related to the improper installation of thermostats or switches under ~~the PeakRewards program~~ public service company demand response programs; and

(ii) the problems underlying the complaints;

(d) states whether, after consulting with the Department of Budget and Management, the Department of Labor, Licensing, and Regulation is able to identify additional ways of enhancing the efficient resolution of consumer complaints; and

(e) states whether the Board has:

(1) filled the final vacant consumer and industry member positions;  
and

(2) provided full geographic representation on the Board.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

**Approved by the Governor, May 10, 2011.**