

Chapter 522

(Senate Bill 512)

AN ACT concerning

Government Shutdowns – Employees – Protections

FOR the purpose of prohibiting a public service company from terminating electric or gas service to certain residential customers for nonpayment on certain days under certain circumstances; authorizing the Public Service Commission to adopt certain regulations; requiring a certain court to stay certain proceedings for the foreclosure or repossession of certain residential property for a certain period of time under certain circumstances; defining ~~a certain term~~ terms; making this Act an emergency measure; and generally relating to protections for government employees subject to a government shutdown.

BY adding to

Article – Public Utilities
Section 7–307.4
Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property
Section 7–105.1(a)(1) and (8) and 8–401(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to

Article – Real Property
Section 7–105.1(b–1) and 8–401(b–1)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

Article – Public Utilities

7–307.4.

~~(A) IN THIS SECTION, “ELIGIBLE RESIDENTIAL CUSTOMER” MEANS A~~

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ELIGIBLE RESIDENTIAL CUSTOMER” MEANS A RESIDENTIAL ELECTRIC OR GAS CUSTOMER WHO IS:

~~(1)~~ (I) EMPLOYED BY THE FEDERAL OR STATE GOVERNMENT OR A LOCAL GOVERNMENT IN THE STATE; AND

~~(2)~~ (II) INVOLUNTARILY FURLOUGHED FROM WORK WITHOUT PAY BECAUSE OF A GOVERNMENT SHUTDOWN, REGARDLESS OF WHETHER THE EMPLOYEE IS REQUIRED TO REPORT TO WORK DURING THE FURLOUGH.

(3) “GOVERNMENT SHUTDOWN” MEANS A GOVERNMENT SHUTDOWN THAT:

(I) OCCURS WHEN GOVERNMENT FUNDING IS UNAVAILABLE TO OPERATE THE GOVERNMENTAL ACTIVITIES DUE TO THE LACK OF A LEGISLATIVE APPROPRIATION OR A CONTINUING RESOLUTION; AND

(II) LASTS FOR A PERIOD THAT EXCEEDS 7 CONSECUTIVE DAYS.

(B) A PUBLIC SERVICE COMPANY MAY NOT TERMINATE ELECTRIC OR GAS SERVICE TO AN ELIGIBLE RESIDENTIAL CUSTOMER FOR NONPAYMENT ON A DAY THAT ~~THE FURLOUGH~~ A GOVERNMENT SHUTDOWN IS IN EFFECT OR AND FOR 7 DAYS AFTER THE FURLOUGH GOVERNMENT SHUTDOWN HAS ENDED IF THE CUSTOMER CONTACTS THE PUBLIC SERVICE COMPANY BEFORE THE DATE OF TERMINATION TO:

(1) PROVIDE VERIFICATION THAT THE CUSTOMER IS AN EMPLOYEE OF THE FEDERAL, STATE, OR LOCAL GOVERNMENT AFFECTED BY THE GOVERNMENT SHUTDOWN; AND

(2) ENTER INTO A PAYMENT PLAN TO PAY ANY OUTSTANDING AMOUNT ON THE CUSTOMER’S ACCOUNT AFTER THE GOVERNMENT SHUTDOWN ENDS.

(C) THE COMMISSION MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

Article – Real Property

7-105.1.

(a) (1) In this section the following words have the meanings indicated.

(8) “Owner–occupied residential property” means residential property in which at least one unit is occupied by an individual who:

- (i) Has an ownership interest in the property; and
- (ii) Uses the property as the individual’s primary residence.

(B–1) (1) THIS SUBSECTION APPLIES ONLY TO AN ACTION FOR THE FORECLOSURE OF A MORTGAGE OR DEED OF TRUST ON AN OWNER–OCCUPIED RESIDENTIAL PROPERTY.

(2) NOTWITHSTANDING ANY OTHER LAW, THE COURT SHALL STAY THE PROCEEDINGS IF THE DEFENDANT PRESENTS EVIDENCE SATISFACTORY TO THE COURT THAT THE DEFENDANT IS:

(I) AN EMPLOYEE OF THE FEDERAL OR STATE GOVERNMENT OR AN EMPLOYEE OF A LOCAL GOVERNMENT IN THE STATE; AND

(II) ~~CURRENTLY~~ INVOLUNTARILY FURLOUGHED FROM WORK WITHOUT PAY BECAUSE OF A GOVERNMENT SHUTDOWN, REGARDLESS OF WHETHER THE EMPLOYEE IS REQUIRED TO REPORT TO WORK DURING THE FURLOUGH.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A STAY UNDER THIS SUBSECTION SHALL BE GRANTED FOR A TIME THAT THE COURT CONSIDERS REASONABLE.

(II) A STAY UNDER THIS SUBSECTION MAY NOT BE GRANTED FOR A PERIOD THAT ENDS MORE THAN 30 DAYS AFTER THE END OF THE GOVERNMENT SHUTDOWN WITHOUT A SHOWING OF SUFFICIENT CAUSE BY A PARTY TO THE ACTION.

8–401.

(a) Whenever the tenant or tenants fail to pay the rent when due and payable, it shall be lawful for the landlord to have again and repossess the premises.

(B–1) (1) THIS SUBSECTION APPLIES ONLY TO AN ACTION FOR THE REPOSSESSION OF RESIDENTIAL PROPERTY FOR FAILURE TO PAY RENT DUE DURING A GOVERNMENT SHUTDOWN.

(2) NOTWITHSTANDING ANY OTHER LAW, THE COURT SHALL STAY THE PROCEEDING IF THE TENANT OR AN OCCUPANT OF THE PROPERTY THAT IS THE SUBJECT OF THE PROCEEDING PRESENTS EVIDENCE SATISFACTORY TO THE COURT THAT THE OCCUPANT:

(I) USES THE PROPERTY AS THE INDIVIDUAL'S PRIMARY RESIDENCE;

(II) IS AN EMPLOYEE OF THE FEDERAL OR STATE GOVERNMENT OR AN EMPLOYEE OF A LOCAL GOVERNMENT IN THE STATE; AND

(III) IS ~~CURRENTLY~~ INVOLUNTARILY FURLOUGHED FROM WORK WITHOUT PAY BECAUSE OF A GOVERNMENT SHUTDOWN, REGARDLESS OF WHETHER THE EMPLOYEE IS REQUIRED TO REPORT TO WORK DURING THE FURLOUGH.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A STAY UNDER THIS SUBSECTION SHALL BE GRANTED FOR A TIME THAT THE COURT CONSIDERS REASONABLE.

(II) A STAY UNDER THIS SUBSECTION MAY NOT BE GRANTED FOR A PERIOD THAT ENDS MORE THAN 30 DAYS AFTER THE END OF THE GOVERNMENT SHUTDOWN WITHOUT A SHOWING OF SUFFICIENT CAUSE BY A PARTY TO THE ACTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, May 13, 2019.