

**Department of Legislative Services**  
Maryland General Assembly  
2001 Session

**FISCAL NOTE**

House Bill 233 (Chairman, Environmental Matters Committee)  
(Departmental – Public Service Commission)

Environmental Matters

Finance

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**Public Service Commission - Civil Penalties**

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This departmental bill authorizes the Public Service Commission (PSC) to impose civil penalties, not to exceed \$10,000, against any person who violates a provision of the Public Utilities Companies Article or a PSC rule, order, or regulation with specified exemptions. Each violation and each day a violation occurs is considered a separate offense.

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**Fiscal Summary**

**State Effect:** General fund revenues could increase minimally beginning in FY 2002. No effect on expenditures.

**Local Effect:** None.

**Small Business Effect:** The Public Service Commission has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** The PSC has the authority to impose civil penalties in certain specified circumstances such as on telecommunication carriers who engage in “slamming” (up to \$1,000), any “person” who violates the safety provisions of the Article (\$500 per offense), and electricity suppliers (\$10,000). For most violations under the Public Utilities Companies Article, the PSC must pursue a remedy in court. Depending on the

violation, the PSC may seek criminal charges or civil charges. Criminal penalties range up to a \$5,000 fine and civil penalties range up to a \$2,500 fine.

**Background:** The PSC believes that seeking penalties through the court system, as the current law requires, is a cumbersome process. It seeks to gain more flexibility by gaining authority to assess civil penalties for most violations of the Public Utilities Companies Article.

**State Fiscal Effect:** Any increase in general fund revenues for the imposition of civil penalties is difficult to accurately estimate. Because the PSC does not anticipate assessing many penalties, the size of any such increase is expected to be minimal.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Public Service Commission, People's Counsel, Department of Legislative Services

**Fiscal Note History:** First Reader – January 29, 2001  
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