

# HOUSE BILL 261

C5

(71r0764)

## ENROLLED BILL

— Economic Matters/Finance —

Introduced by **Delegates Jackson, Angel, Knotts, Krimm, and Tarlau**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Utilities – Termination of Service to Multifamily Dwelling**  
3 **Unit – Notification to Property Owner or Property Manager**

4 FOR the purpose of requiring a public service company that ~~is going~~ *intends* to terminate,  
5 because of nonpayment, electric or gas service to a certain customer to notify a  
6 certain property owner or property manager before terminating service if the  
7 ~~property owner or property manager has enrolled in a certain notification program;~~  
8 ~~requiring a public service company to provide the notice only to certain persons~~  
9 ~~under certain circumstances; requiring a certain property owner or property~~  
10 ~~manager to obtain certain consent from a customer in order to enroll in a certain~~  
11 ~~termination program~~ *public service company has received a certain customer's*  
12 *consent; authorizing a certain property owner or property manager to require, as a*  
13 *term of a certain lease, a certain tenant to assure that a certain customer provides*  
14 *consent for the property owner or property manager to receive a notice of termination*  
15 *of services under certain circumstances; authorizing a certain customer's consent to*

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 *be provided to a public service company by certain methods; requiring each public*  
 2 *service company to set up a certain procedure for handling a certain third-party*  
 3 *notification process in a certain manner; providing for the construction of this Act;*  
 4 ~~requiring~~ *authorizing* the Public Service Commission to adopt certain regulations;  
 5 and generally relating to termination of electric or gas service.

6 BY adding to

7 Article – Public Utilities

8 Section 7–307.3

9 Annotated Code of Maryland

10 (2010 Replacement Volume and 2016 Supplement)

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

13 **Article – Public Utilities**

14 **7–307.3.**

15 ~~(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, IF A PUBLIC SERVICE~~  
 16 ~~COMPANY IS GOING TO TERMINATE THAT TERMINATES, BECAUSE OF NONPAYMENT,~~  
 17 ~~ELECTRIC OR GAS SERVICE TO A CUSTOMER WHO RESIDES IN A MULTIFAMILY~~  
 18 ~~DWELLING UNIT, THE PUBLIC SERVICE COMPANY SHALL NOTIFY THE PROPERTY~~  
 19 ~~OWNER OR PROPERTY MANAGER OF THE MULTIFAMILY DWELLING UNIT BEFORE~~  
 20 ~~TERMINATING SERVICE TO THE CUSTOMER IF THE PROPERTY OWNER OR PROPERTY~~  
 21 ~~MANAGER HAS ENROLLED IN A THIRD PARTY TERMINATION NOTIFICATION~~  
 22 ~~PROGRAM.~~

23 ~~(B) A PUBLIC SERVICE COMPANY MAY ONLY PROVIDE NOTICE OF~~  
 24 ~~TERMINATION UNDER THIS SECTION TO A PROPERTY OWNER OR PROPERTY~~  
 25 ~~MANAGER WHO ENROLLS IN A SERVICE TERMINATION NOTIFICATION PROGRAM~~  
 26 ~~ESTABLISHED UNDER REGULATIONS THAT THE COMMISSION ADOPTS;~~

27 ~~(1) NOTIFIES THE PUBLIC SERVICE COMPANY OF THE PROPERTY~~  
 28 ~~OWNER'S OR PROPERTY MANAGER'S ENROLLMENT IN A THIRD PARTY~~  
 29 ~~NOTIFICATION PROGRAM; AND~~

30 ~~(2) PROVIDES DOCUMENTATION THAT THE PROPERTY OWNER OR~~  
 31 ~~PROPERTY MANAGER OBTAINED THE CUSTOMER'S WRITTEN CONSENT~~  
 32 ~~AUTHORIZING THE PROPERTY OWNER OR PROPERTY MANAGER TO RECEIVE THE~~  
 33 ~~CUSTOMER'S NOTICE OF TERMINATION.~~

34 ~~(C) IN ORDER FOR A PROPERTY OWNER OR PROPERTY MANAGER TO~~  
 35 ~~ENROLL IN A THIRD PARTY NOTIFICATION PROGRAM, THE PROPERTY OWNER OR~~  
 36 ~~PROPERTY MANAGER SHALL OBTAIN THE CUSTOMER'S WRITTEN CONSENT~~

~~AUTHORIZING THE PROPERTY OWNER OR PROPERTY MANAGER TO RECEIVE THE CUSTOMER'S NOTICE OF TERMINATION FROM THE THIRD PARTY NOTIFICATION PROGRAM.~~

(A) A PUBLIC SERVICE COMPANY THAT INTENDS TO TERMINATE, BECAUSE OF NONPAYMENT, ELECTRIC OR GAS SERVICE TO A CUSTOMER OF THE SERVICE TO A MULTIFAMILY DWELLING UNIT SHALL NOTIFY THE PROPERTY OWNER OR PROPERTY MANAGER OF THE MULTIFAMILY DWELLING UNIT BEFORE TERMINATING SERVICE TO THE CUSTOMER IF THE PUBLIC SERVICE COMPANY HAS RECEIVED THE CUSTOMER'S CONSENT THAT DESIGNATES THE PROPERTY OWNER OR PROPERTY MANAGER AS A THIRD-PARTY AUTHORIZED TO RECEIVE A NOTICE OF TERMINATION OF SERVICES.

(B) AS A TERM OF A LEASE OF A MULTIFAMILY DWELLING UNIT, THE PROPERTY OWNER OR PROPERTY MANAGER OF THE MULTIFAMILY DWELLING UNIT MAY REQUIRE A TENANT TO ENSURE THAT A CUSTOMER OF THE PUBLIC SERVICE COMPANY THAT IS RESPONSIBLE FOR THE ACCOUNT FOR THAT MULTIFAMILY DWELLING UNIT PROVIDES CONSENT FOR THE PROPERTY OWNER OR PROPERTY MANAGER TO RECEIVE A NOTICE OF TERMINATION OF SERVICES AS A RESULT OF NONPAYMENT BY THE CUSTOMER.

(C) A CUSTOMER'S CONSENT MAY BE PROVIDED TO A PUBLIC SERVICE COMPANY BY:

(1) THE CUSTOMER; OR

(2) IF THE CONSENT IS WRITTEN, THE PROPERTY OWNER OR PROPERTY MANAGER OF THE MULTIFAMILY DWELLING UNIT.

(D) EACH PUBLIC SERVICE COMPANY SHALL SET UP A PROCEDURE FOR HANDLING THE THIRD-PARTY NOTIFICATION PROCESS IN A MANNER BEST SUITED TO THE CIRCUMSTANCES OF THE PARTICULAR PUBLIC SERVICE COMPANY.

~~(D)~~ (E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO PREVENT ANY OTHER FORM OF THIRD-PARTY NOTIFICATION THAT A CUSTOMER MAY REQUEST.

~~(D)~~ ~~(E)~~ (F) THE COMMISSION ~~SHALL~~ MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.