

SENATE BILL 709

M3

8lr2249
CF HB 923

By: **Senators Eckardt and Ferguson**

Introduced and read first time: February 2, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 6, 2018

CHAPTER _____

1 AN ACT concerning

2 **Environment – Water and Sewer Service**

3 FOR the purpose of declaring the intent of the General Assembly that homeowners have
4 access to certain affordability programs for water and sewer services; authorizing a
5 political subdivision, a sanitary commission, or an authority to develop and
6 implement certain affordability programs; authorizing a sanitary commission, a
7 political subdivision, and an authority to disconnect certain service to properties that
8 meet certain criteria; requiring a sanitary commission, a political subdivision, and
9 an authority to restore certain service to certain properties under certain
10 circumstances; and generally relating to water and sewer services.

11 BY adding to
12 Article – Environment
13 Section 9–202, 9–670, and 9–728
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2017 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Environment
18 Section 9–951
19 Annotated Code of Maryland
20 (2014 Replacement Volume and 2017 Supplement)

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

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.



Article – Environment

1
2 **9-202.**

3 (A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT HOMEOWNERS
4 HAVE ACCESS TO PROGRAMS TO ASSIST THEM IN MEETING THEIR PAYMENT
5 OBLIGATIONS FOR WATER AND SEWER SERVICES.

6 (B) A POLITICAL SUBDIVISION, A SANITARY COMMISSION, OR AN
7 AUTHORITY PROVIDING SERVICES UNDER THIS TITLE MAY DEVELOP AND
8 IMPLEMENT SERVICE AFFORDABILITY PROGRAMS TO ASSIST HOMEOWNERS HAVING
9 DIFFICULTY MAKING PAYMENTS FOR WATER AND SEWER SERVICES, INCLUDING:

10 (1) PAYMENT PLANS; AND

11 (2) ROUND UP PROGRAMS IN WHICH RATEPAYERS MAY DONATE TO A
12 FUND TO BE USED TO PROVIDE PAYMENT ASSISTANCE TO HOMEOWNERS.

13 **9-670.**

14 (A) A SANITARY COMMISSION MAY DISCONNECT SERVICE TO A PROPERTY
15 ON A FINDING OR NOTIFICATION FROM THE GOVERNING BODY OF THE POLITICAL
16 SUBDIVISION IN WHICH THE PROPERTY IS LOCATED THAT THE PROPERTY IS:

17 (1) A VACANT LOT; OR

18 (2) CITED AS VACANT AND UNFIT FOR HABITATION ON A HOUSING OR
19 BUILDING VIOLATION NOTICE.

20 (B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, ON REQUEST BY THE
21 OWNER OF THE PROPERTY, THE SANITARY COMMISSION SHALL RESTORE SERVICE
22 TO A PROPERTY WHERE SERVICE WAS DISCONNECTED IN ACCORDANCE WITH
23 SUBSECTION (A) OF THIS SECTION.

24 (C) (1) A SANITARY COMMISSION MAY REQUIRE PROOF THAT ALL
25 HOUSING AND BUILDING VIOLATION NOTICES FOR A PROPERTY HAVE BEEN
26 RESOLVED PRIOR TO RESTORING SERVICE UNDER SUBSECTION (B) OF THIS
27 SECTION.

28 (2) PRIOR TO RESTORING SERVICE UNDER SUBSECTION (B) OF THIS
29 SECTION, A SANITARY COMMISSION MAY REQUIRE THE OWNER OF THE PROPERTY
30 TO PAY:

1 (I) ALL UNPAID FEES, CHARGES, OR ASSESSMENTS FOR
2 SERVICE AT THE PROPERTY; AND

3 (II) ANY RECONNECTION FEES FOR SERVICE AT THE PROPERTY.

4 9-728.

5 (A) A POLITICAL SUBDIVISION MAY DISCONNECT SERVICE TO A PROPERTY
6 ON A FINDING OR NOTIFICATION FROM THE GOVERNING BODY OF THE POLITICAL
7 SUBDIVISION IN WHICH THE PROPERTY IS LOCATED THAT THE PROPERTY IS:

8 (1) A VACANT LOT; OR

9 (2) CITED AS VACANT AND UNFIT FOR HABITATION ON A HOUSING OR
10 BUILDING VIOLATION NOTICE.

11 (B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, ON REQUEST BY THE
12 OWNER OF THE PROPERTY, THE POLITICAL SUBDIVISION SHALL RESTORE SERVICE
13 TO A PROPERTY WHERE SERVICE WAS DISCONNECTED IN ACCORDANCE WITH
14 SUBSECTION (A) OF THIS SECTION.

15 (C) (1) A POLITICAL SUBDIVISION MAY REQUIRE PROOF THAT ALL
16 HOUSING AND BUILDING VIOLATION NOTICES ON A PROPERTY HAVE BEEN
17 RESOLVED PRIOR TO RESTORING SERVICE UNDER SUBSECTION (B) OF THIS
18 SECTION.

19 (2) PRIOR TO RESTORING SERVICE UNDER SUBSECTION (B) OF THIS
20 SECTION, A POLITICAL SUBDIVISION MAY REQUIRE THE OWNER OF THE PROPERTY
21 TO PAY:

22 (I) ALL UNPAID FEES, CHARGES, OR ASSESSMENTS FOR
23 SERVICE AT THE PROPERTY; AND

24 (II) ANY RECONNECTION FEES FOR SERVICE AT THE PROPERTY.

25 9-951.

26 (a) A political subdivision that owns or operates a water system may contract with
27 an authority as provided in subsection (b) of this section to shut off the supply of water to
28 any premises that are connected with any sewerage system of the authority.

29 (b) If the owner, tenant, or occupant of any premises described in subsection (a)
30 of this section fails, within the time stated in the contract, to pay any rate, fee, or charge
31 for the use or services of the sewerage system of an authority, the authority may shut off

1 the supply of water to the premises.

2 (C) (1) AN AUTHORITY MAY DISCONNECT SERVICE TO A PROPERTY ON A
3 FINDING OR NOTIFICATION FROM THE GOVERNING BODY OF THE POLITICAL
4 SUBDIVISION IN WHICH THE PROPERTY IS LOCATED THAT THE PROPERTY IS:

5 (I) A VACANT LOT; OR

6 (II) CITED AS VACANT AND UNFIT FOR HABITATION ON A
7 HOUSING OR BUILDING VIOLATION NOTICE.

8 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, ON REQUEST
9 BY THE OWNER OF THE PROPERTY, THE AUTHORITY SHALL RESTORE SERVICE TO A
10 PROPERTY WHERE SERVICE WAS DISCONNECTED IN ACCORDANCE WITH
11 PARAGRAPH (1) OF THIS SUBSECTION.

12 (3) (I) AN AUTHORITY MAY REQUIRE PROOF THAT ALL HOUSING
13 AND BUILDING VIOLATION NOTICES ON A PROPERTY HAVE BEEN RESOLVED PRIOR
14 TO RESTORING SERVICE UNDER PARAGRAPH (2) OF THIS SUBSECTION.

15 (II) PRIOR TO RESTORING SERVICE UNDER PARAGRAPH (2) OF
16 THIS SUBSECTION, AN AUTHORITY MAY REQUIRE THE OWNER OF THE PROPERTY TO
17 PAY:

18 1. ALL UNPAID RATES, FEES, CHARGES, OR
19 ASSESSMENTS FOR SERVICE AT THE PROPERTY; AND

20 2. ANY RECONNECTION FEES FOR SERVICE AT THE
21 PROPERTY.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.