

# SENATE BILL 709

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8lr2249  
CF 8lr3551

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By: **Senators Eckardt and Ferguson**

Introduced and read first time: February 2, 2018

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

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:

23 **Article – Environment**

24 **9–202.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

8                   **(1) PAYMENT PLANS; AND**

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

11 **9-670.**

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

15                   **(1) A VACANT LOT; OR**

16                   **(2) CITED AS VACANT AND UNFIT FOR HABITATION ON A HOUSING OR**  
17 **BUILDING VIOLATION NOTICE.**

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

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

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

29                           **(I) ALL UNPAID FEES, CHARGES, OR ASSESSMENTS FOR**  
30 **SERVICE AT THE PROPERTY; AND**

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

1 9-728.

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

5 (1) A VACANT LOT; OR

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

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

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

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

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

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

22 9-951.

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

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

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

1                   **(I) A VACANT LOT; OR**

2                   **(II) CITED AS VACANT AND UNFIT FOR HABITATION ON A**  
3 **HOUSING OR BUILDING VIOLATION NOTICE.**

4                   **(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, ON REQUEST**  
5 **BY THE OWNER OF THE PROPERTY, THE AUTHORITY SHALL RESTORE SERVICE TO A**  
6 **PROPERTY WHERE SERVICE WAS DISCONNECTED IN ACCORDANCE WITH**  
7 **PARAGRAPH (1) OF THIS SUBSECTION.**

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

11                   **(II) PRIOR TO RESTORING SERVICE UNDER PARAGRAPH (2) OF**  
12 **THIS SUBSECTION, AN AUTHORITY MAY REQUIRE THE OWNER OF THE PROPERTY TO**  
13 **PAY:**

14                               **1. ALL UNPAID RATES, FEES, CHARGES, OR**  
15 **ASSESSMENTS FOR SERVICE AT THE PROPERTY; AND**

16                               **2. ANY RECONNECTION FEES FOR SERVICE AT THE**  
17 **PROPERTY.**

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