

Chapter 128

(House Bill 218)

AN ACT concerning

Prince George's County – Utility Services – Master Meters and Task Force**PG 429–18**

FOR the purpose of prohibiting the Public Service Commission from authorizing the use of a master meter for certain utility services in certain residential multiple occupancy buildings in Prince George's County; prohibiting the Washington Suburban Sanitary Commission from authorizing the use of a master meter for water and sewer service in certain residential multiple occupancy buildings in the county; providing that conversion of the ownership of certain residential multiple occupancy buildings in the county to condominium or cooperative ownership may not take effect until certain individual meters for certain services have been installed for each individual unit and for common areas; establishing the Task Force on the Use of Master Meters for Utility Services in Prince George's County; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to compile data, study, and make recommendations regarding certain matters; requiring the Task Force to submit a final report on its findings and recommendations to the Governor and the members of the Prince George's County Delegation to the General Assembly on or before a certain date; defining a certain term; providing for the application of this Act; providing for the termination of certain provisions of this Act; and generally relating to restrictions on the use of master meters for utility services in Prince George's County.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–304.1 and 23–202

Annotated Code of Maryland

(2010 Replacement Volume and 2017 Supplement)

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

Article – Public Utilities

7–304.1.

(a) In this section, “master meter” means a meter used to measure, for billing purposes, the total amount of electricity or natural gas used in a building by a heating, ventilation, and air conditioning system, including the combined use from all individually leased or owned units and all common areas.

(b) **[The] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE** Commission may authorize the use of a master meter in a residential multiple occupancy building for heating, ventilation, and air conditioning services without requiring individual metering or submetering for heating, ventilation, and air conditioning services as provided under § 7–303 or § 7–304 of this subtitle if:

(1) the utility bill for heating, ventilation, and air conditioning services for each individually leased or owned occupancy unit is included in the rent for that unit;

(2) the Commission is satisfied that the use of the master meter for heating, ventilation, and air conditioning services will result in a net savings of energy over the energy savings that would result from individual metering or submetering for heating, ventilation, and air conditioning services; and

(3) each individually leased or owned occupancy unit:

(i) has individual metered service for other energy services; and

(ii) directly receives the utility bill for the other energy services.

(c) Before authorizing the use of a master meter for heating, ventilation, and air conditioning services, the Commission may review the proposed allocation of heating, ventilation, and air conditioning system expenses among individual units and common areas served by the master meter.

(d) **(1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.**

(2) THE COMMISSION MAY NOT AUTHORIZE THE USE OF A MASTER METER IN A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING THAT IS:

(I) CONSTRUCTED FOR CONDOMINIUM OR COOPERATIVE OWNERSHIP; OR

(II) CONVERTED TO CONDOMINIUM OR COOPERATIVE OWNERSHIP.

(3) IN THE CASE OF A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING IN WHICH THE COMMISSION HAS PREVIOUSLY AUTHORIZED THE USE OF A MASTER METER IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION, AND THAT IS INTENDED TO BE CONVERTED TO CONDOMINIUM OR COOPERATIVE OWNERSHIP, THE CONVERSION OF OWNERSHIP MAY NOT TAKE EFFECT UNTIL INDIVIDUAL METERS HAVE BEEN INSTALLED FOR EACH INDIVIDUAL DWELLING UNIT AND FOR THE COMMON AREAS OF THE BUILDING.

(E) In accordance with § 7–301 of this subtitle, an electric company or a gas company may inspect and test a master meter authorized for use by the Commission under this section.

23–202.

(a) (1) If property abuts on a street or right-of-way in which a water main or sanitary sewer is installed, the Commission shall provide a service connection from the water main or sanitary sewer to the property line of the abutting lot.

(2) The service connection shall be constructed by and at the expense of the Commission and shall be paid for in accordance with this division.

(b) (1) When the Commission declares a water main or sewer complete, after notice, every abutting property owner may hook up spigots, hydrants, toilets, and waste drains with the water main or sewer, as appropriate, within the time set by the Commission.

(2) If the fixtures described in paragraph (1) of this subsection do not exist or if the Commission determines that they are improper or inadequate, the property owner shall install satisfactory equipment.

(c) (1) Any cesspool, sink drain, outhouse, or well that is polluted or a menace to health shall be abandoned and left in a way that it cannot be used or pose a risk to the public health.

(2) The Commission shall determine the disposition of these facilities.

(d) (1) After the construction or acquisition of a water main or sewer, the Commission may order a property owner or occupant who refuses to connect to the water main or sewer to hook up to the water main or sewer if:

(i) a condition exists that appears to be a menace to the health of the occupants of the property or the occupants of a nearby or adjoining property;

(ii) the property on which the condition exists abuts the water main or sewer;

(iii) the Commission gives the owner or occupant 10 days' notice and an opportunity to be heard; and

(iv) the Commission determines the condition to be a menace to the health of the occupants of the property or the occupants of a nearby or adjoining property.

(2) (i) If the Commission determines that a condition exists as provided in paragraph (1) of this subsection, the Commission shall pass an order that requires that

the property hookup be made in not less than 30 days or more than 90 days of the issuance of the order.

(ii) The property owner or occupant may not refuse to comply with the order or violate any of the other provisions of this section.

(iii) As provided in the Administrative Procedure Act, the property owner or occupant may seek judicial review of the decision of the Commission.

(E) (1) IN THIS SUBSECTION, “MASTER METER” MEANS A METER USED TO MEASURE, FOR BILLING PURPOSES, THE TOTAL AMOUNT OF WATER AND SEWER USAGE IN A BUILDING, INCLUDING THE COMBINED USE FROM ALL INDIVIDUALLY LEASED OR OWNED UNITS AND ALL COMMON AREAS.

(2) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.

(3) THE COMMISSION MAY NOT AUTHORIZE THE USE OF A MASTER METER FOR WATER AND SEWER SERVICE IN A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING THAT IS CONSTRUCTED OR CONVERTED TO CONDOMINIUM OR COOPERATIVE OWNERSHIP.

(4) IN THE CASE OF A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING IN WHICH THE COMMISSION HAS PREVIOUSLY AUTHORIZED THE USE OF A MASTER METER UNDER THIS SECTION, AND THAT IS INTENDED TO BE CONVERTED TO CONDOMINIUM OR COOPERATIVE OWNERSHIP, THE CONVERSION OF OWNERSHIP MAY NOT TAKE EFFECT UNTIL INDIVIDUAL METERS HAVE BEEN INSTALLED FOR EACH INDIVIDUAL DWELLING UNIT AND FOR THE COMMON AREAS OF THE BUILDING.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force on the Use of Master Meters for Utility Services in Prince George’s County.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland from Prince George’s County, appointed by the President of the Senate;

(2) one member of the House of Delegates from Prince George’s County, appointed by the Speaker of the House;

(3) the General Manager of the Washington Suburban Sanitary Commission, or the General Manager’s designee;

(4) one representative of the Office of Community Relations, Common Ownership Communities of Prince George's County; and

(5) two residents of a residential multiple occupancy building that is constructed or converted to condominium or cooperative ownership in Prince George's County, appointed by the County Executive of Prince George's County.

(c) The County Executive of Prince George's County shall designate the chair of the Task Force.

(d) The Office of Community Relations, Common Ownership Communities of Prince George's County shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study:

(i) issues related to the use of master meters in residential multiple occupancy buildings that are constructed or converted to condominium or cooperative ownership in Prince George's County; and

(ii) the amount of money that is owed by unit owners as a result of master meters in residential multiple occupancy buildings that are constructed or converted to condominium or cooperative ownership in Prince George's County; and

(2) make recommendations related to money that is owed by unit owners as a result of master meters in residential multiple occupancy buildings that are constructed or converted to condominium or cooperative ownership in Prince George's County.

(g) On or before December 31, 2018, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the members of the Prince George's County Delegation to the General Assembly.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any authorization for utility service to a residential multiple

occupancy building submitted to the Public Service Commission or the Washington Suburban Sanitary Commission before the effective date of this Act.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2018. Section 2 of this Act shall remain effective for a period of 13 months and, at the end of June 30, 2019, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, April 10, 2018.