

Chapter 570

**(Senate Bill 628)**

AN ACT concerning

**Utilities – Surviving Spouse of Account Holder – Protections**

FOR the purpose of requiring a certain utility, on presentation of certain documents and without requiring certain information or imposing a fee or penalty, to temporarily keep a certain account open for a certain period of time or transfer a certain account to a surviving spouse under certain circumstances; authorizing a certain utility to impose a fee or penalty or terminate an account for nonpayment under certain circumstances or to close a certain account under certain circumstances; defining certain terms; and generally relating to duties of utility accounts to surviving spouses of account holders.

BY adding to

Article – Public Utilities

Section 5–501 to be under the new subtitle “Subtitle 5. Miscellaneous”

Annotated Code of Maryland

(2010 Replacement Volume and 2019 Supplement)

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

**Article – Public Utilities**

**SUBTITLE 5. MISCELLANEOUS.**

**5–501.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “ACCOUNT HOLDER” MEANS THE INDIVIDUAL IN WHOSE NAME A UTILITY ACCOUNT IS ESTABLISHED.**

**(3) “UTILITY” MEANS AN ELECTRIC COMPANY, AN ELECTRICITY SUPPLIER, A GAS COMPANY, A GAS SUPPLIER, A SEWAGE DISPOSAL COMPANY, A WATER COMPANY, OR ANY COMBINATION OF THESE COMPANIES.**

**(B) IF AN ACCOUNT HOLDER’S SURVIVING SPOUSE PRESENTS TO A UTILITY THE ACCOUNT HOLDER’S DEATH CERTIFICATE AND THEIR MARRIAGE CERTIFICATE OR A STATE OR FEDERAL TAX RETURN FILED JOINTLY BY THE ACCOUNT HOLDER AND THE SURVIVING SPOUSE IN THE IMMEDIATELY PRECEDING YEAR, THE UTILITY**

**SHALL, WITHOUT REQUIRING ANY FURTHER INFORMATION, OTHER THAN UPDATED CONTACT INFORMATION, OR IMPOSING ANY FEE OR PENALTY:**

**(1) TEMPORARILY KEEP THE ACCOUNT OPEN FOR A PERIOD OF NOT LESS THAN 6 MONTHS AND, DURING THAT TIME, TREAT THE SURVIVING SPOUSE AS A JOINT HOLDER OF THE ACCOUNT; OR**

**(2) TRANSFER THE ACCOUNT TO THE SURVIVING SPOUSE.**

**(C) NOTWITHSTANDING SUBSECTION (B)(1) OF THIS SECTION, A UTILITY MAY:**

**(1) IN ACCORDANCE WITH ANY OTHER APPLICABLE LAW, IMPOSE A FEE OR PENALTY OR TERMINATE AN ACCOUNT FOR NONPAYMENT; OR**

**(2) AT THE REQUEST OF THE SURVIVING SPOUSE, CLOSE THE ACCOUNT.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.**