HB0561/633193/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 561
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and P. Young" and substitute "P. Young, and Holmes"; in line 2, after "Energy" insert "– Pilot Program"; strike beginning with "repealing" in line 5 down through "circumstances;" in line 6 and substitute "altering the circumstances under which counties and municipal corporations may act as an aggregator; establishing a certain Community Choice Aggregator Pilot Program; providing for the application of certain provisions;"; strike beginning with the first "or" in line 7 down through "corporations" in line 8; in line 8, strike "or join"; in lines 9 and 11, in each instance, strike "or municipal corporation"; in lines 14 and 15, strike "or municipal corporation"; and strike beginning with "authorizing" in line 19 down through "circumstances;" in line 20.

On page 2, in lines 3, 12, 24, and 25, in each instance, strike "or municipal corporation"; in lines 5 and 6, strike "or municipal corporation"; in line 17, after "law;" insert "providing for the beginning and the termination of the pilot program; requiring the Commission to report to the General Assembly on the pilot program on or before a certain date;"; in line 22, after "factors;" insert "providing for the application of this Act;"; in line 23, after "definitions;" insert "stating the intent of the General Assembly;"; in line 39, strike the second "and"; and in the same line, after "7–507(a)" insert ", and 7–510(f)".

On page 3, strike in their entirety lines 4 through 8, inclusive.

AMENDMENT NO. 2

On page 3, strike beginning with "**OR**" in line 27 down through "**BOTH,**" in line 28.

On page 4, strike in their entirety lines 3 through 5, inclusive, and substitute:

"**(1)**   **ARE LOCATED WITHIN THE COUNTY, INCLUDING CUSTOMERS LOCATED WITHIN MUNICIPAL CORPORATIONS LOCATED IN THE COUNTY;**";

and strike beginning with the first comma in line 10 down through "**CORPORATIONS**" in line 11.

On page 6, in lines 18 and 20, in each instance, strike the bracket; in line 18, strike "A" and substitute "**EXCEPT AS PROVIDED IN § 7–510.3 OF THIS SUBTITLE, A**"; in line 25, after "**(B)**" insert "**THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.**

(C)   **(1)**   **THERE IS A COMMUNITY CHOICE AGGREGATION PILOT PROGRAM.**

(2)";

in the same line, strike "**OCTOBER 1, 2021,**" and substitute "**OCTOBER 1, 2022,**"; strike beginning with "**OR**" in line 25 down through "**CORPORATIONS**" in line 26; in line 26, strike "**OR JOIN**"; in line 28, strike "**(C)**" and substitute "**(D)**"; in the same line, strike "**JOIN OR**"; and in lines 29 and 30, strike "**OR MUNICIPAL CORPORATION**".

On page 7, in lines 3, 5, and 27, in each instance, strike "**JURISDICTION**" and substitute "**COUNTY**"; in line 9, strike "**JOIN OR**"; in line 17, after "**PARTICIPANTS**" insert "**, INCLUDING AN ANALYSIS OF HISTORICAL AND FORECASTED TRENDS IN ELECTRICITY PRICES AND A PURCHASING PLAN DESIGNED TO SAVE RATEPAYERS MONEY**"; in line 28, strike "**(D)**" and substitute "**(E)**"; and in line 29, strike "**(C)**" and substitute "**(D)**".

On page 8, strike beginning with the first "**OR**" in line 1 down through "**CORPORATIONS**" in line 2; in lines 2 and 8, in each instance, strike "**OR JOINING**"; in line 4, strike "**OR JOIN**"; in line 7, strike "**(C)**" and substitute "**(D)**"; in lines 13 and 14, strike "**:   (I)**"; in line 14, strike "**EACH**" and substitute "**THE**"; in lines 14, 19, 27, and 31, in each instance, strike "**OR MUNICIPAL CORPORATION**"; strike beginning with the semicolon in line 15 down through "**AGGREGATOR**" in line 18; in line 28, strike "**(E)**" and substitute "**(F)**"; in line 29, strike "**(K)**" and substitute "**(L)**"; and in lines 29 and 30, strike "**OR MUNICIPAL CORPORATION**".

On page 9, in lines 21 and 32, in each instance, strike "**OR MUNICIPAL CORPORATION**"; and in line 22, strike "**ITS JURISDICTION**" and substitute "**THE COUNTY**".

On page 10, in line 5, strike "**ITS JURISDICTION**" and substitute "**THE COUNTY**"; in line 9, strike "**(F)**" and substitute "**(G)**"; in lines 10 and 11, strike "**OR MUNICIPAL CORPORATION**"; in lines 13 and 24, in each instance, strike "**OR MUNICIPAL CORPORATION**"; and in lines 16 and 22, in each instance, strike "**(E)**" and substitute "**(F)**".

On page 11, in lines 5, 16, and 28, strike "**(G)**", "**(H)**", and "**(I)**", respectively, and substitute "**(H)**", "**(I)**", and "**(J)**", respectively; in lines 11 and 12, strike "**OR MUNICIPAL CORPORATION**"; in line 16, strike "**(1)**"; strike beginning with "**JURISDICTION**" in line 17 down through "**CORPORATION**" in line 18 and substitute "**COUNTY**"; in lines 19 and 21, strike "**(I)**" and "**(II)**", respectively, and substitute "**(1)**" and "**(2)**", respectively; and strike in their entirety lines 23 through 27, inclusive.

On page 12, in lines 5, 25, and 33, strike "**(J)**", "**(K)**", and "**(L)**", respectively, and substitute "**(K)**", "**(L)**", and "**(M)**", respectively; in line 33, strike "**OR MUNICIPAL CORPORATION**"; and in lines 33 and 34, strike "**OR JOINING**".

On page 13, in line 3, strike "**JURISDICTION OF THE COMMUNITY CHOICE AGGREGATOR**" and substitute "**COUNTY**"; in lines 11 and 12, strike "**OR MUNICIPALITY**"; in line 12, strike "**OR JOINING**"; in lines 14 and 15, strike "**OR MUNICIPALITY**"; in line 15, strike "**JOINING OR**"; and in lines 19, 22, and 28, strike "**(M)**", "**(N)**", and "**(O)**", respectively, and substitute "**(N)**", "**(O)**", and "**(P)**", respectively.

On page 14, in lines 11, 21, and 28, strike "**(P)**", "**(Q)**", and "**(R)**", respectively, and substitute "**(Q)**", "**(R)**", and "**(T)**", respectively; after line 27, insert:

"**(S)   (1)   THE PILOT PROGRAM SHALL:**

(I)   BEGIN ON THE EARLIER OF:

1.   THE DATE THAT A COUNTY GIVES NOTICE TO THE COMMISSION OF ITS INTENTION TO INITIATE A PROCESS TO FORM A COMMUNITY CHOICE AGGREGATOR, IN ACCORDANCE WITH SUBSECTION (D)(1)(V) OF THIS SECTION; OR

2.   JANUARY 1, 2023; AND

(II)   END 7 YEARS AFTER THE BEGINNING DATE, BUT NOT SOONER THAN DECEMBER 31, 2030.

(2)   ON OR BEFORE DECEMBER 31 OF THE SIXTH YEAR AFTER THE BEGINNING OF THE PILOT PROGRAM, THE COMMISSION SHALL, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, REPORT TO THE GENERAL ASSEMBLY ON THE STATUS AND EFFECTIVENESS OF THE PILOT PROGRAM.";

in line 28, strike "**JULY 1, 2021,**" and substitute "**JULY 1, 2022,**"; and in line 31, after "**(2)**" insert "**PROCEDURES TO CONSIDER AND REVIEW THE ANALYSIS OF HISTORICAL AND FORECASTED TRENDS IN ELECTRICITY PRICES AND A PURCHASING PLAN DESIGNED TO SAVE RATEPAYERS MONEY SUBMITTED BY COUNTY;**

(3)".

On page 15, in lines 1, 3, 6, 8, 11, 13, 16, and 20, strike "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", and "**(10)**", respectively, and substitute "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", "**(10)**", and "**(11)**", respectively; in line 2, after "**COMPANIES**" insert "**, INCLUDING PROHIBITIONS ON THE COMMUNITY CHOICE AGGREGATOR FROM SHARING, DISCLOSING, OR OTHERWISE MAKING ACCESSIBLE TO A THIRD PARTY A CUSTOMER'S PERSONAL INFORMATION**"; and in line 28, after "3." insert "AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, in accordance with the Maryland Constitution, before any legislation may take effect that would expand the community choice aggregation program to be available in jurisdictions other than that authorized for Montgomery County under this Act, the legislation shall be submitted by referendum to the voters of the affected jurisdictions.

SECTION 4.".