HOUSE BILL 1271

C5

2lr3218

CF SB 770

By: Delegate R. Lewis
Introduced and read first time: February 11, 2022
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 Public Utilities – Homeowner Utility Repair Fund – Establishment

3 FOR the purpose of establishing the Homeowner Utility Repair Fund as a special, nonlapsing fund to offset the costs a low– to middle–income residential customer may incur due to damage caused by a utility company’s routine maintenance, repairs, or upgrades; requiring interest earnings of the Fund to be credited to the Fund; and generally relating to the Homeowner Utility Repair Fund.

8 BY adding to
9 Article – Public Utilities
10 Section 7–315
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2021 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – State Finance and Procurement
15 Section 6–226(a)(2)(i)
16 Annotated Code of Maryland
17 (2021 Replacement Volume)

18 BY repealing and reenacting, with amendments,
19 Article – State Finance and Procurement
20 Section 6–226(a)(2)(ii)144. and 145.
21 Annotated Code of Maryland
22 (2021 Replacement Volume)

23 BY adding to
24 Article – State Finance and Procurement
25 Section 6–226(a)(2)(ii)146.
26 Annotated Code of Maryland
27 (2021 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Public Utilities

7–315.

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

(2) “FUND” MEANS THE HOMEOWNER UTILITY REPAIR FUND.

(3) “UTILITY COMPANY” MEANS AN ELECTRIC COMPANY, A GAS COMPANY, OR A GAS AND ELECTRIC COMPANY.

(B) THERE IS A HOMEOWNER UTILITY REPAIR FUND.

(C) THE PURPOSE OF THE FUND IS TO OFFSET THE COSTS A LOW- TO MIDDLE-INCOME RESIDENTIAL CUSTOMER MAY INCUR DUE TO DAMAGE CAUSED BY A UTILITY COMPANY’S ROUTINE MAINTENANCE, REPAIRS, OR UPGRADES.

(D) (1) THE COMMISSION SHALL:

(I) ADMINISTER THE FUND; AND

(II) DETERMINE THE AMOUNT OF FUNDS TO BE TRANSFERRED ANNUALLY TO THE FUND FROM FEDERAL, STATE, AND LOCAL GOVERNMENT LOW-INCOME WEATHERIZATION AND ENERGY ASSISTANCE PROGRAMS THAT RETAIN UNUSED FUNDS AT THE END OF A STATE FISCAL YEAR, INCLUDING:

1. THE ELECTRIC UNIVERSAL SERVICE PROGRAM ESTABLISHED UNDER § 7–512.1 OF THIS TITLE;

2. THE ENERGY ASSISTANCE PROGRAM ESTABLISHED UNDER TITLE 5, SUBTITLE 5A OF THE HUMAN SERVICES ARTICLE;

3. THE WEATHERIZATION PROGRAM DEVELOPED BY THE COMMUNITY DEVELOPMENT ADMINISTRATION UNDER § 4–211 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE;

4. THE U.S. DEPARTMENT OF ENERGY WEATHERIZATION ASSISTANCE PROGRAM; AND
5. ANY OTHER FEDERAL, STATE, OR LOCAL GOVERNMENT LOW–INCOME PROGRAM THAT PROVIDES WEATHERIZATION AND ENERGY ASSISTANCE TO LOW–TO MIDDLE–INCOME RESIDENTIAL CUSTOMERS.

(2) THE COMMISSION MAY REQUEST A BUDGET AMENDMENT TO TRANSFER TO THE FUND UNSPENT UNENCUMBERED MONEY IN THE FUNDS LISTED IN PARAGRAPH (1)(II) OF THIS SUBSECTION AT THE END OF A GIVEN FISCAL YEAR.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) MONEY TRANSFERRED TO THE FUND UNDER SUBSECTION (D) OF THIS SECTION;

(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(3) INTEREST EARNINGS; AND

(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY TO OFFSET THE COSTS A LOW–TO MIDDLE–INCOME RESIDENTIAL CUSTOMER INCURS DUE TO DAMAGE CAUSED BY A UTILITY COMPANY’S ROUTINE MAINTENANCE, REPAIRS, OR UPGRADES.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED TO THE FUND.
Art. 3

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

144. the Health Equity Resource Community Reserve Fund;

145. the Access to Counsel in Evictions Special Fund; AND

146. THE HOMEOWNER UTILITY REPAIR FUND.

SEC. 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.