

SENATE BILL 770

C5

2lr1584
CF 2lr3218

By: Senator Ferguson

Introduced and read first time: February 7, 2022

Assigned to: Finance

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,
4 nonlapsing fund to offset the costs a low- to middle-income residential customer
5 may incur for costs associated with a utility company's routine maintenance, repairs,
6 or upgrades; requiring interest earnings of the Fund to be credited to the Fund; and
7 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.



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

3 **Article – Public Utilities**

4 **7-315.**

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

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

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

10 **(B) THERE IS A HOMEOWNER UTILITY REPAIR FUND.**

11 **(C) THE PURPOSE OF THE FUND IS TO OFFSET THE COSTS A LOW- TO**
12 **MIDDLE-INCOME RESIDENTIAL CUSTOMER MAY INCUR FOR COSTS ASSOCIATED**
13 **WITH A UTILITY COMPANY’S ROUTINE MAINTENANCE, REPAIRS, OR UPGRADES.**

14 **(D) (1) THE COMMISSION SHALL:**

15 **(I) ADMINISTER THE FUND; AND**

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

20 **1. THE ELECTRIC UNIVERSAL SERVICE PROGRAM**
21 **ESTABLISHED UNDER § 7-512.1 OF THIS TITLE;**

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

24 **3. THE WEATHERIZATION PROGRAM DEVELOPED BY THE**
25 **COMMUNITY DEVELOPMENT ADMINISTRATION UNDER § 4-211 OF THE HOUSING**
26 **AND COMMUNITY DEVELOPMENT ARTICLE;**

27 **4. THE U.S. DEPARTMENT OF ENERGY**
28 **WEATHERIZATION ASSISTANCE PROGRAM; AND**

1 **5. ANY OTHER FEDERAL, STATE, OR LOCAL**
2 **GOVERNMENT LOW-INCOME PROGRAM THAT PROVIDES WEATHERIZATION AND**
3 **ENERGY ASSISTANCE TO LOW- TO MIDDLE-INCOME RESIDENTIAL CUSTOMERS.**

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

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

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

11 **(F) THE FUND CONSISTS OF:**

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

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

15 **(3) INTEREST EARNINGS; AND**

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

18 **(G) THE FUND MAY BE USED ONLY TO OFFSET THE COSTS A LOW- TO**
19 **MIDDLE-INCOME RESIDENTIAL CUSTOMER INCURS FOR COSTS ASSOCIATED WITH A**
20 **UTILITY COMPANY'S ROUTINE MAINTENANCE, REPAIRS, OR UPGRADES.**

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

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

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

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

Article – State Finance and Procurement

2 6-226.

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

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

146. THE HOMEOWNER UTILITY REPAIR FUND.

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