HOUSE BILL 630

C5

3lr2009
CF 3lr2808

By: **Delegates Queen, Charkoudian, Palakovich Carr, Schmidt, and Simpson**
Introduced and read first time: February 3, 2023
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Utilities – Primary and Secondary Account Holders – Domestic Violence**
3 **Protections**

4 FOR the purpose of requiring a certain utility to release a primary or secondary account
5   holder who is the victim of domestic violence from a contract held with the utility
6   under certain circumstances; and generally relating to public utility accounts.

7 BY adding to
8   Article – Public Utilities
9   Section 5–502
10   Annotated Code of Maryland
11   (2020 Replacement Volume and 2022 Supplement)

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

Article – Public Utilities

15 **5–502.**

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

18   **(2)**   "PRIMARY ACCOUNT HOLDER" MEANS THE INDIVIDUAL IN WHOSE
19 NAME A UTILITY ACCOUNT IS ESTABLISHED.

20   **(3)**   "SECONDARY ACCOUNT HOLDER" MEANS AN INDIVIDUAL WHO IS
21 LISTED ON A UTILITY ACCOUNT BUT WHO IS NOT THE PRIMARY ACCOUNT HOLDER.

1   **(4)**   "U**TILITY**" MEANS AN ELECTRIC COMPANY, AN ELECTRICITY
2   SUPPLIER, A GAS COMPANY, A GAS SUPPLIER, A SEWAGE DISPOSAL COMPANY, A
3   WATER COMPANY, OR ANY COMBINATION OF THESE COMPANIES.

4   **(B)**   **(1)**   A UTILITY SHALL ALLOW A PRIMARY OR SECONDARY ACCOUNT
5   HOLDER TO BE RELEASED FROM A CONTRACT WITHOUT INCURRING A FEE,
6   PENALTY, OR CHARGE IF THE PRIMARY OR SECONDARY ACCOUNT HOLDER
7   PROVIDES AN ATTESTATION IN WRITING OF THE ACCOUNT HOLDER'S STATUS AS A
8   VICTIM OF DOMESTIC VIOLENCE.

9   **(2)**   THE WRITTEN ATTESTATION REQUIRED UNDER PARAGRAPH **(1)**
10 OF THIS SUBSECTION SHALL INCLUDE:

11   **(I)**   CERTIFIED FILES OR RECORDS FROM A COURT OR A LAW
12 ENFORCEMENT AGENCY OR OTHER FEDERAL OR STATE AGENCY;

13   **(II)**   DOCUMENTATION FROM A DOMESTIC VIOLENCE, SEXUAL
14 ASSAULT, OR HUMAN TRAFFICKING PREVENTION OR ASSISTANCE PROGRAM
15 INDICATING THAT THE PRIMARY OR SECONDARY ACCOUNT HOLDER PARTICIPATED
16 IN OR SOUGHT ASSISTANCE FROM THE PROGRAM; OR

17   **(III)**   DOCUMENTATION FROM A RELIGIOUS, MEDICAL, OR OTHER
18 PROFESSIONAL FROM WHOM THE PRIMARY OR SECONDARY ACCOUNT HOLDER
19 SOUGHT ASSISTANCE OR TREATMENT AS A SURVIVOR OF THREATENED,
20 ATTEMPTED, OR ACTUAL DOMESTIC VIOLENCE, SEXUAL ASSAULT, STALKING,
21 HARASSMENT, OR HUMAN TRAFFICKING.

22   **(C)**   A UTILITY MAY NOT MAKE THE RELEASE FROM A CONTRACT UNDER
23 SUBSECTION **(B)** OF THIS SECTION CONTINGENT ON:

24   **(1)**   THE DISCLOSURE OF CONFIDENTIAL INFORMATION OR ANY
25 FURTHER DETAILS ABOUT THE PRIMARY OR SECONDARY ACCOUNT HOLDER'S
26 STATUS AS A VICTIM OF DOMESTIC VIOLENCE;

27   **(2)**   THE PRIMARY OR SECONDARY ACCOUNT HOLDER MAINTAINING A
28 CONTRACTUAL OR BILLING RESPONSIBILITY FOR A SEPARATED ACCOUNT WITH THE
29 PROVIDER;

30   **(3)**   THE PRIMARY ACCOUNT HOLDER APPROVING THE RELEASE IF
31 THE SECONDARY ACCOUNT HOLDER IS THE PERSON MAKING THE REQUEST; OR

32   **(4)**   A PAYMENT ON ARREARS ACCRUED BY THE ACCOUNT BEFORE THE
33 RELEASE REQUEST.

1   **(D) (1) A UTILITY SHALL RELEASE A PRIMARY OR SECONDARY ACCOUNT**
2 **HOLDER REQUESTING A RELEASE UNDER SUBSECTION (B) OF THIS SECTION NOT**
3 **LATER THAN 7 DAYS AFTER RECEIVING THE RELEASE REQUEST.**

4   **(2) A UTILITY SHALL DISPOSE OF ANY WRITTEN ATTESTATION**
5 **PROVIDED UNDER SUBSECTION (B) OF THIS SECTION:**

6   **(I) NOT LATER THAN 30 DAYS AFTER RECEIVING THE**
7 **INFORMATION; AND**

8   **(II) IN A MANNER THAT MAINTAINS THE CONFIDENTIALITY OF**
9 **THE PRIMARY OR SECONDARY ACCOUNT HOLDER.**

10   **(E) A UTILITY SHALL MAKE INFORMATION ABOUT THE OPTIONS AND**
11 **PROCESS DESCRIBED UNDER THIS SECTION AVAILABLE TO CUSTOMERS ON ANY**
12 **WEBSITE, MOBILE APPLICATION, AND OTHER FORMS OF PUBLIC–FACING CUSTOMER**
13 **COMMUNICATION THE UTILITY MAINTAINS.**

14   **(F) A UTILITY MAY NOT BE SUBJECT TO LIABILITY FOR ANY CLAIMS ARISING**
15 **FROM AN ACTION TAKEN OR OMISSION MADE WITH RESPECT TO COMPLYING WITH**
16 **THIS SECTION.**

17   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2023.