

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 872

(Montgomery County Delegation and Prince George's
County Delegation)

Environment and Transportation

Education, Energy, and the Environment

Washington Suburban Sanitary Commission - Service Near Regional Transit
Districts and Neighborhood Centers in Prince George's County - Contracts
MC/PG 111-23

This emergency bill authorizes the Washington Suburban Sanitary Commission (WSSC) to contract with the District of Columbia or the District of Columbia Water and Sewer Authority for the construction, maintenance, and operation of a water supply, sewer, or drainage system by authorizing the District of Columbia or the District of Columbia Water and Sewer Authority to provide water service, sewer service, or water and sewer service to a border property in Prince George's County, as specified. The bill applies only prospectively to future water and sewer connections and terminates five years from the date it is enacted.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: The bill does not materially affect WSSC's operations or finances.

Small Business Effect: Potential minimal.

Analysis

Bill Summary: WSSC may contract with the District of Columbia or the District of Columbia Water and Sewer Authority, as specified, for a *border property* that (1) is located on a boundary line with the District of Columbia and within one-half mile of a regional transit district or neighborhood center in Prince George's County and an existing mass

transit rail station that is operated by the Washington Metropolitan Area Transit Authority; (2) lacks frontage on a right-of-way in Prince George's County to connect water service, sewer service, or water and sewer services; (3) qualifies as an expedited transit-oriented development project under the zoning laws of the county; and (4) obtained site plan approval in the county between January 1, 2021, and January 1, 2023.

Any contract entered into under the bill between WSSC and the District of Columbia or the District of Columbia Water and Sewer Authority must:

- allocate the maintenance costs and billing and collection responsibilities;
- require multifamily housing units served under the contract to use master meters;
- provide for a service rate setting procedure for water and sewer service that is based on the amount of water used;
- provide notice of WSSC's authority, as specified;
- require WSSC and the District of Columbia or the District of Columbia Water and Sewer Authority to notify customers of any health and safety advisories;
- require notification to customers, as specified, based on a notification schedule agreed to by WSSC and the District of Columbia or the District of Columbia Water and Sewer Authority; and
- limit the ability of WSSC, the District of Columbia, or the District of Columbia Water and Sewer Authority to reduce services provided to a customer served under the contract.

Current Law: WSSC may enter into a contract or agreement concerning the construction, maintenance, and operation of the water supply, sewer or drainage systems under its control or under the control or ownership of the District of Columbia or any other agency, authority, or commission with (1) the District of Columbia; (2) any federal, State, county, or municipal authority in the State or any other state; or (3) any public water, sewer, or drainage commission in the State or any other State.

WSSC may also, as a primary party or as a subcontractor, contract with or invest in any person for specified activities relating to the design, construction, operation, maintenance, or management of water or wastewater systems, including systems, services, expertise, intellectual property, and techniques developed in connection with, or usable or marketable with respect to, water or wastewater systems.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Transportation; Montgomery and Prince George's counties; Washington Suburban Sanitary Commission; Department of Legislative Services

Fiscal Note History: First Reader - March 28, 2023
js/tso Third Reader - April 7, 2023
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