

HOUSE BILL 139

N1, O1

(4lr0832)

ENROLLED BILL

— Environment and Transportation/Judicial Proceedings —

Introduced by ~~Delegate Charkoudian~~ Delegates Charkoudian, Allen, Foley, Holmes, Lehman, J. Long, Love, Ruth, Stewart, and Terrasa

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Landlord and Tenant – ~~Office of Home Energy Programs~~ Notice of Utility Bills**
3 **in Residential Leases – ~~Financial Assistance~~ Gas and Electric Services**

4 FOR the purpose of ~~requiring a landlord to accept financial assistance from the Office of~~
5 ~~Home Energy Programs in the Department of Human Services for the cost of utility~~
6 ~~services that a tenant is required to pay; requiring a landlord, under certain~~
7 ~~circumstances, to provide a tenant with utility service documentation that is~~
8 ~~necessary for the Office to determine the eligibility of the tenant for financial~~
9 ~~assistance~~ adding gas and electric utility services to the types of utility services for
10 which certain landlords are required to provide a certain notice in a written lease
11 and a copy of a certain receipt or bill summary under certain circumstances;
12 requiring a landlord to provide a tenant with certain information about utility costs
13 under certain circumstances; applying certain requirements relating to payment of
14 utility services to landlords of buildings that contain more than a certain number of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



units; and generally relating to landlords, tenants, and the Office of Home Energy Programs required provisions in written leases.

BY adding to repealing and reenacting, with amendments,

Article – Real Property

Section ~~8-220~~ 8-205.1

Annotated Code of Maryland

(2023 Replacement Volume)

BY adding to

Article – Real Property

Section 8-205.2

Annotated Code of Maryland

(2023 Replacement Volume)

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

Article – Real Property

8-205.1.

(a) In this section, “utility service provider” means a public service company or a unit of State or local government that provides water [or], sewer, GAS, OR ELECTRIC utility services.

(b) ~~1~~ (1) This section applies only to a landlord of a building that contains ~~one or two~~ SIX OR MORE residential dwelling units.

~~(2)~~ This section does not apply to a landlord ~~[that]:~~

~~(1)~~ (I) THAT A landlord that requires a tenant, under an oral or written lease, to pay water [or], sewer, GAS, OR ELECTRIC bills directly to the utility service provider; OR

~~(2)~~ (II) FOR ANY A UTILITY THAT IS ALLOCATED USING A RATIO UTILITY BILLING SYSTEM, AS DEFINED IN § 8-212.4 OF THIS SUBTITLE.

(c) A landlord that requires a tenant to make payments for water [or], sewer, GAS, OR ELECTRIC utility services to the landlord shall:

(1) Use a written lease that provides notice that the tenant is responsible for making payments for water [or], sewer, GAS, OR ELECTRIC utility services to the landlord; and

1 (2) (1) Provide a copy of the water [or], sewer, GAS, OR ELECTRIC bill
2 to the tenant; OR

3 (II) BEFORE THE BEGINNING OF THE INITIAL LEASE AND EACH
4 TERM THEREAFTER FOR THE DURATION OF THE TENANCY, NOTIFY THE TENANT IN
5 WRITING OF THE TOTAL UTILITY COSTS BILLED TO THE LANDLORD IN THE
6 IMMEDIATELY PRECEDING YEAR FOR WATER, SEWER, GAS, OR ELECTRIC UTILITY
7 SERVICES, DISAGGREGATED BY UTILITY TYPE.

8 8-205.2.

9 (A) IN THIS SECTION, “UTILITY SERVICE PROVIDER” HAS THE SAME
10 MEANING STATED IN § 8-205.1 OF THIS SUBTITLE.

11 (B) (1) THIS SECTION APPLIES ONLY TO A LANDLORD OF A BUILDING
12 THAT CONTAINS FIVE OR FEWER RESIDENTIAL DWELLING UNITS.

13 (2) THIS SECTION DOES NOT APPLY TO A LANDLORD THAT REQUIRES
14 A TENANT, UNDER AN ORAL OR WRITTEN LEASE, TO PAY WATER, SEWER, GAS, OR
15 ELECTRIC BILLS DIRECTLY TO THE UTILITY SERVICE PROVIDER.

16 (C) A LANDLORD THAT REQUIRES A TENANT TO MAKE PAYMENTS FOR
17 WATER, SEWER, GAS, OR ELECTRIC UTILITY SERVICES TO THE LANDLORD SHALL:

18 (1) USE A WRITTEN LEASE THAT PROVIDES NOTICE THAT THE TENANT
19 IS RESPONSIBLE FOR MAKING PAYMENTS FOR WATER, SEWER, GAS, OR ELECTRIC
20 UTILITY SERVICES TO THE LANDLORD; AND

21 (2) PROVIDE A COPY OF THE WATER, SEWER, GAS, OR ELECTRIC
22 UTILITY BILL TO THE TENANT.

23 ~~8-220.~~

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

26 (2) ~~“OFFICE” MEANS THE OFFICE OF HOME ENERGY PROGRAMS IN~~
27 ~~THE DEPARTMENT OF HUMAN SERVICES.~~

28 (3) ~~“UTILITY SERVICE” MEANS FUEL, GAS, ELECTRIC, HEAT, WATER,~~
29 ~~OR A SIMILAR SERVICE PROVIDED BY A PUBLIC SERVICE COMPANY THAT IS~~
30 ~~REGULATED BY THE PUBLIC SERVICE COMMISSION.~~

1 ~~(B) A LANDLORD SHALL ACCEPT FINANCIAL ASSISTANCE FROM THE~~
2 ~~OFFICE FOR THE COST OF UTILITY SERVICES THAT A TENANT IS REQUIRED TO PAY.~~

3 ~~(C) (1) SUBJECT TO THE CONFIDENTIALITY REQUIREMENTS OF STATE~~
4 ~~AND FEDERAL LAW, AND ON THE REQUEST OF A TENANT, A LANDLORD SHALL~~
5 ~~PROVIDE A TENANT WITH UTILITY SERVICE DOCUMENTATION THAT IS:~~

6 ~~(I) ACCESSIBLE TO THE LANDLORD, BUT OTHERWISE~~
7 ~~INACCESSIBLE TO THE TENANT; AND~~

8 ~~(II) NECESSARY FOR THE OFFICE TO DETERMINE THE~~
9 ~~ELIGIBILITY OF THE TENANT FOR FINANCIAL ASSISTANCE.~~

10 ~~(2) UTILITY SERVICE DOCUMENTATION UNDER PARAGRAPH (1) OF~~
11 ~~THIS SUBSECTION SHALL:~~

12 ~~(I) BE PROVIDED AT NO COST TO THE TENANT; AND~~

13 ~~(II) INCLUDE BILLS AND OTHER STATEMENTS RELATED TO~~
14 ~~UTILITY SERVICES.~~

15 ~~(D) (1) FOR EACH VIOLATION OF THIS SECTION BY A LANDLORD, THE~~
16 ~~DEPARTMENT OF HUMAN SERVICES MAY IMPOSE:~~

17 ~~(I) FOR A FIRST OFFENSE, AN ADMINISTRATIVE PENALTY OF~~
18 ~~\$500; OR~~

19 ~~(II) FOR A SECOND OR SUBSEQUENT OFFENSE, AN~~
20 ~~ADMINISTRATIVE PENALTY OF \$1,000.~~

21 ~~(2) THE DEPARTMENT SHALL PAY ANY PENALTY COLLECTED UNDER~~
22 ~~THIS SUBSECTION INTO THE GENERAL FUND OF THE STATE.~~

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2024.