

# SENATE BILL 171

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(PRE-FILED)

4lr0922  
CF HB 139

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By: **Senator Augustine**

Requested: October 11, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 12, 2024

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

14 BY ~~adding to~~ repealing and reenacting, with amendments,

15 Article – Real Property  
16 Section ~~8-220~~ 8-205.1  
17 Annotated Code of Maryland  
18 (2023 Replacement Volume)

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

21 **Article – Real Property**

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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.



1 8-205.1.

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

5 (b) [(1) This section applies only to a landlord of a building that contains one or  
 6 two residential dwelling units.

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

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

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

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

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

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

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

24 ~~§ 220.~~

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

27 (2) ~~"OFFICE" MEANS THE OFFICE OF HOME ENERGY PROGRAMS IN~~  
 28 ~~THE DEPARTMENT OF HUMAN SERVICES.~~

29 (3) ~~"UTILITY SERVICE" MEANS FUEL, GAS, ELECTRIC, HEAT, WATER,~~  
 30 ~~OR A SIMILAR SERVICE PROVIDED BY A PUBLIC SERVICE COMPANY THAT IS~~  
 31 ~~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 UPON 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.