

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 139

(Delegate Charkoudian, *et al.*)

Environment and Transportation

Judicial Proceedings

Landlord and Tenant - Notice of Utility Bills in Residential Leases - Gas and
Electric Services

This bill generally (1) extends statutory provisions requiring a landlord to provide certain notice and documentation to a tenant that is required to make payments to the landlord for specified utility services to be applicable to gas and electric services and (2) expands the type of documentation that may be provided to meet the requirement.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary/Current Law:

Definitions

Under current law, “utility service provider” means a public service company or a unit of State or local government that provides *water* or *sewer* utility services. The bill adds *gas* and *electric* to this definition.

“Ratio utility billing system” means allocation of one or more of a landlord’s utility

charges, collected via a master meter, among the tenants by any method that does not measure actual per-tenant usage for the utility.

Payments for Utilities to Landlord – Requirements

Under current law, a landlord that requires a tenant to make payments for water or sewer utility services to the landlord must (1) use a written lease that provides notice that the tenant is responsible for making payments for water or sewer utility services to the landlord and (2) provide a copy of the water or sewer bill to the tenant.

The bill extends these provisions to be applicable to gas and electric services. Instead of providing a copy of the utility bill to the tenant, the bill also authorizes a landlord, before the beginning of the initial lease and each term thereafter for the duration of the tenancy, to notify the tenant in writing of the total utility costs billed to the landlord in the immediately preceding year for water, sewer, gas, or electric utility services, disaggregated by utility type.

Under current law, the aforementioned requirements do not apply if a landlord requires a tenant, under an oral or written lease, to pay water or sewer bills directly to the utility service provider. The bill extends this exemption to gas and electric bills and exempts any utility that is allocated using a ratio utility billing system. Under current law, the statutory requirements are applicable only to a landlord of a building that contains one or two residential dwelling units; the bill repeals this provision.

Additional Information

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

Designated Cross File: SB 171 (Senator Augustine) - Judicial Proceedings.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Department of Human Services; Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2024
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