

HOUSE BILL 1443

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By: **Delegate Arentz**

Introduced and read first time: February 13, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Retail Supply of Electricity and Gas – Regulation and Consumer Protection –**
3 **Alterations**

4 FOR the purpose of repealing certain provisions related to energy salespersons and the
5 marketing and pricing of green power; requiring the Public Service Commission to
6 establish an Energy Choice Multimedia Program to educate ratepayers and
7 consumers on certain matters; altering certain provisions related to renewing
8 electricity supplier licenses and gas supplier licenses; requiring the Commission to
9 adopt regulations requiring electricity suppliers and gas suppliers to submit a
10 certain list of energy vendors to the Commission under certain circumstances;
11 requiring the Commission to provide an electricity supplier, a gas supplier, and an
12 energy vendor with due process before taking certain actions regarding the supplier's
13 or vendor's license; altering certain penalties for violating certain provisions
14 regarding electricity suppliers and gas suppliers; altering certain enrollment and
15 notice requirements for residential electricity suppliers; allowing residential
16 electricity suppliers to purchase certain accounts; repealing a certain education and
17 training program; and generally relating to the retail supply of electricity and gas.

18 BY repealing

19 Article – Public Utilities

20 Section 1–101(l–1), 7–317, 7–510(f), and 7–707

21 Annotated Code of Maryland

22 (2025 Replacement Volume and 2025 Supplement)

23 BY repealing and reenacting, without amendments,

24 Article – Public Utilities

25 Section 1–101(a) and 7–604.2(a)

26 Annotated Code of Maryland

27 (2025 Replacement Volume and 2025 Supplement)

28 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Public Utilities
2 Section 1–101(1–2), 7–310, 7–311, 7–315(a), 7–507, 7–510(d), (g), (h), and (i), 7–602,
3 7–603, 7–603.1, 7–604, 7–604.2(b), 7–605, and 13–201(e)
4 Annotated Code of Maryland
5 (2025 Replacement Volume and 2025 Supplement)

6 BY adding to
7 Article – Public Utilities
8 Section 7–321
9 Annotated Code of Maryland
10 (2025 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, with amendments,
12 Chapter 537 of the Acts of the General Assembly of 2024
13 Section 4

14 BY repealing
15 Chapter 537 of the Acts of the General Assembly of 2024
16 Section 5

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That Section(s) 7–317 and 7–707 of Article – Public Utilities of the Annotated Code of
19 Maryland be repealed.

20 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
21 as follows:

22 Article – Public Utilities

23 1–101.

24 (a) In this division the following words have the meanings indicated.

25 [(1–1) (1) “Energy salesperson” means an individual who is licensed by the
26 Commission to sell:

27 (i) electricity or electricity supply services to residential retail
28 electric customers on behalf of an electricity supplier as an employee or agent of the
29 electricity supplier; or

30 (ii) gas or gas supply services to residential retail gas customers on
31 behalf of a gas supplier as an employee or agent of the gas supplier.

32 (2) “Energy salesperson” does not include:

33 (i) the Department of General Services when the Department of
34 General Services sells energy under § 7–704.4 of this article;

1 (ii) the Washington Suburban Sanitary Commission when the
2 Washington Suburban Sanitary Commission sells energy under Division II of this article;

3 (iii) a community choice aggregator under § 7–510.3 of this article; or

4 (iv) an employee or contractor of an electric company when the
5 employee or contractor is performing duties specific to standard offer service.]

6 [(1–2)] (L–1) “Energy vendor” means a person that has a contract or subcontract to
7 provide energy sales services to an electricity supplier or a gas supplier that provides
8 electricity supply services or gas supply services, respectively, to a residential customer.

9 7–310.

10 (a) In this section, “Fund” means the Education and Protection Fund.

11 (b) There is an Education and Protection Fund.

12 (c) The purpose of the Fund is to provide resources to improve the Commission’s
13 ability to:

14 (1) educate customers on:

15 (i) retail electric and gas choice; and

16 (ii) energy choices that help meet the State’s climate commitments
17 under § 7–319 of this subtitle and § 2–1204.2 of the Environment Article;

18 (2) protect customers from unfair, false, misleading, or deceptive practices
19 by electricity suppliers, [energy salespersons,] energy vendors, or gas suppliers; and

20 (3) develop a training and educational program for electricity suppliers,
21 gas suppliers, [energy salespersons,] and energy vendors as provided under § 7–311 of this
22 subtitle.

23 (d) The Commission shall administer the Fund.

24 (e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of
25 the State Finance and Procurement Article.

26 (2) The State Treasurer shall hold the Fund separately, and the
27 Comptroller shall account for the Fund.

28 (f) The Fund consists of:

29 (1) revenue distributed to the Fund under § 13–201(e)(3) of this article;

1 (2) money appropriated in the State budget to the Fund; and

2 (3) any other money from any other source accepted for the benefit of the
3 Fund.

4 (g) The Fund may be used only to:

5 (1) educate retail electric or gas customers on retail choice and energy
6 choices that help to meet the State's climate commitments under § 7-319 of this subtitle
7 and § 2-1204.2 of the Environment Article;

8 (2) improve customer protections for retail electric or gas customers; and

9 (3) develop a training and educational program for electricity suppliers,
10 gas suppliers, [energy salespersons,] and energy vendors as provided under § 7-311 of this
11 subtitle.

12 (h) (1) The State Treasurer shall invest the money of the Fund in the same
13 manner as other State money may be invested.

14 (2) Any investment earnings of the Fund shall be credited to the General
15 Fund of the State.

16 (i) Expenditures from the Fund may be made only in accordance with the State
17 budget.

18 7-311.

19 (a) The Commission shall develop a training and educational program for any
20 entity or individual that is licensed by the Commission as an electricity supplier, a gas
21 supplier, [an energy salesperson,] or an energy vendor.

22 (b) The Commission shall develop the program in consultation with interested
23 stakeholders, including electricity suppliers, gas suppliers, [energy salespersons,] and
24 energy vendors.

25 (c) The program shall require that a designated representative of each licensed
26 electricity supplier, licensed gas supplier, **OR** licensed energy vendor[, or licensed energy
27 salesperson] demonstrate a thorough understanding of the Commission's regulations
28 regarding:

29 (1) sales;

30 (2) consumer protection; and

31 (3) any other matter the Commission deems appropriate.

1 (d) At the conclusion of the training, the Commission shall:

2 (1) conduct an examination; and

3 (2) on a satisfactory score, certify that the designated representative of the
4 licensed electricity supplier, licensed gas supplier, [licensed energy salesperson,] or
5 licensed energy vendor has successfully completed the training.

6 (e) (1) The Commission shall determine the schedule and frequency by which
7 a designated representative of a licensed electricity supplier, licensed gas supplier,
8 [licensed energy salesperson,] or licensed energy vendor must complete the training and
9 certification.

10 (2) A designated representative of a new electricity supplier, gas supplier,
11 [energy salesperson,] or energy vendor shall complete the training and certification prior
12 to the issuance of a license.

13 (f) The Commission may adopt regulations that include appropriate penalties or
14 sanctions for failure to comply with this section.

15 (g) (1) The Commission shall use the following funding sources for the initial
16 development of the training and educational program:

17 (i) the assessments collected in accordance with § 2–110 of this
18 article; or

19 (ii) funds deposited into the Education and Protection Fund in
20 accordance with § 7–310 of this subtitle.

21 (2) The Commission may establish reasonable fees to pay for the costs of
22 the program.

23 7–315.

24 (a) (1) In this section, “residential energy retailer” includes:

25 (i) an electricity supplier that supplies electricity to residential
26 retail electric customers;

27 (ii) a gas supplier that supplies gas to residential retail gas
28 customers; **AND**

29 (iii) [an energy salesperson; and

30 (iv)] an energy vendor.

1 (2) “Residential energy retailer” does not include:

2 (i) the Department of General Services when the Department of
3 General Services sells energy under § 7–704.4 of this title;

4 (ii) a community choice aggregator under § 7–510.3 of this title;

5 (iii) an electricity supplier when supplying electricity to commercial
6 retail electric customers; or

7 (iv) a gas supplier that supplies gas to commercial retail gas
8 customers.

9 **7–321.**

10 (A) IN THIS SECTION, “PROGRAM” MEANS THE ENERGY CHOICE
11 MULTIMEDIA PROGRAM.

12 (B) THE COMMISSION SHALL ESTABLISH AN ENERGY CHOICE MULTIMEDIA
13 PROGRAM.

14 (C) THE PROGRAM SHALL BE DESIGNED TO EDUCATE RATEPAYERS AND
15 CONSUMERS REGARDING THE ABILITY OF THE RATEPAYERS AND CONSUMERS TO
16 CHOOSE THEIR ENERGY SUPPLIER.

17 (D) THE PROGRAM CREATED UNDER THIS SECTION:

18 (1) SHALL INCLUDE AT LEAST ONE ANNUAL MAILING AND ONE
19 ANNUAL UTILITY BILL INSERT DIRECTING THE RECIPIENT TO THE COMMISSION’S
20 WEBSITE ON ENERGY CHOICE; AND

21 (2) SHALL BE CREATED WITH INPUT SOLICITED FROM THE
22 FOLLOWING STAKEHOLDERS:

23 (I) ELECTRIC COMPANIES;

24 (II) GAS COMPANIES;

25 (III) ELECTRICITY SUPPLIERS;

26 (IV) GAS SUPPLIERS;

27 (V) RESIDENTIAL CUSTOMERS; AND

1 (VI) SMALL COMMERCIAL CUSTOMERS.

2 7-507.

3 (a) A person, other than an electric company providing standard offer service
4 under § 7-510(c) of this subtitle, a municipal electric utility serving customers solely in its
5 distribution territory, the Department of General Services selling energy under § 7-704.4
6 of this title, or a community choice aggregator under § 7-510.3 of this subtitle, may not
7 engage in the business of an electricity supplier in the State unless the person holds a
8 license issued by the Commission.

9 (b) (1) An application for an electricity supplier license shall:

10 (i) be made to the Commission in writing on a form adopted by the
11 Commission;

12 (ii) be verified by oath or affirmation; and

13 (iii) contain information that the Commission requires, including:

14 1. proof of technical and managerial competence;

15 2. proof of compliance with all applicable requirements of the
16 Federal Energy Regulatory Commission, and any independent system operator or regional
17 or system transmission operator to be used by the licensee;

18 3. a certification of compliance with applicable federal and
19 State environmental laws and regulations that relate to the generation of electricity; and

20 4. payment of the applicable licensing fee.

21 (2) (i) The term of a residential electricity supplier license is 3 years.

22 (ii) The terms of licenses may be staggered as determined by the
23 Commission.

24 (iii) Unless a license for a residential electricity supplier is renewed
25 for a 3-year term in accordance with this subsection, the license expires on the date that
26 the Commission sets.

27 (iv) A licensee may renew a license for [a 3-year term] **ADDITIONAL**
28 **TERMS** before the license expires if the licensee:

29 1. otherwise is entitled to be licensed;

1 2. submits to the Commission a renewal application on the
2 form that the Commission provides; and

3 3. pays to the Commission the applicable renewal fee set by
4 the Commission.

5 **(V) IF AN ELECTRICITY SUPPLIER SUBMITS AN APPLICATION**
6 **FOR LICENSE RENEWAL, THE ELECTRICITY SUPPLIER'S EXPIRING LICENSE SHALL**
7 **REMAIN VALID WHILE THE RENEWAL LICENSE APPLICATION IS PENDING.**

8 (c) The Commission shall, by regulation or order:

9 (1) require proof of financial integrity;

10 (2) require a licensee to post a bond or other similar instrument if, in the
11 Commission's judgment, the bond or similar instrument is necessary to insure an electricity
12 supplier's financial integrity;

13 (3) require a licensee to:

14 (i) provide proof that the licensee is qualified to do business in the
15 State with the Department of Assessments and Taxation; and

16 (ii) agree to be subject to all applicable taxes; and

17 (4) adopt any other requirements the Commission finds to be in the public
18 interest, which may include different requirements for:

19 (i) electricity suppliers that serve only large customers; and

20 (ii) the different categories of electricity suppliers.

21 (d) A license issued under this section may not be transferred without prior
22 Commission approval.

23 (e) The Commission shall adopt regulations or issue orders to:

24 (1) protect consumers, electric companies, electricity suppliers, [energy
25 salespersons,] and energy vendors from anticompetitive and abusive practices;

26 (2) require each electricity supplier[, each energy salesperson,] and each
27 energy vendor to provide, in addition to the requirements under § 7-505(b)(5) of this
28 subtitle, adequate and accurate customer information to enable customers to make
29 informed choices regarding the purchase of any electricity services offered by the electricity
30 supplier;

1 (3) establish reasonable restrictions on telemarketing;

2 (4) establish procedures for contracting with customers;

3 (5) establish requirements and limitations relating to deposits, billing,
4 collections, and contract cancellations;

5 (6) establish provisions providing for the referral of a delinquent account
6 by an electricity supplier to the standard offer service under § 7-510(c) of this subtitle;
7 [and]

8 (7) establish procedures for dispute resolution; AND

9 **(8) REQUIRE EACH ELECTRICITY SUPPLIER, WITHIN 10 DAYS AFTER**
10 **ADDING OR REMOVING AN ENERGY VENDOR, TO SUBMIT TO THE COMMISSION A LIST**
11 **OF ALL ENERGY VENDORS CONDUCTING SALES ACTIVITIES ON BEHALF OF THE**
12 **ELECTRICITY SUPPLIER.**

13 (f) In accordance with regulations or orders of the Commission, electricity bills,
14 for competitive and regulated electric services, provided to consumers may provide, in
15 addition to the requirements of § 7-505(b)(5) of this subtitle and subsection (e)(2) of this
16 section, the following information:

17 (1) the identity and phone number of the electricity supplier of the service;

18 (2) sufficient information to evaluate prices and services; and

19 (3) information identifying whether the price is regulated or competitive.

20 (g) (1) An electricity supplier, [an energy salesperson,] an energy vendor, or
21 any person or governmental unit may not, without first obtaining the customer's
22 permission:

23 (i) make any change in the electricity supplier for a customer; or

24 (ii) add a new charge for a new or existing service or option.

25 (2) The Commission shall adopt regulations or issue orders establishing
26 procedures to prevent the practices prohibited under paragraph (1) of this subsection.

27 (h) (1) An electricity supplier[, an energy salesperson,] or an energy vendor
28 may not discriminate against any customer based wholly or partly on race, color, creed,
29 national origin, gender identity, disability, sexual orientation, or sex of an applicant for
30 service or for any arbitrary, capricious, or unfairly discriminatory reason.

1 (2) An electricity supplier[, an energy salesperson,] or an energy vendor
2 may not refuse to provide service to a customer except by the application of standards that
3 are reasonably related to the electricity supplier's economic and business purposes.

4 (i) An electricity supplier[, an energy salesperson,] and an energy vendor shall
5 be subject to all applicable federal and State environmental laws and regulations.

6 (j) An electricity supplier shall post on the Internet information that is readily
7 understandable about its services and rates for small commercial and residential electric
8 customers.

9 (k) (1) Subject to **PARAGRAPH (4) OF THIS** subsection [(r) of this section], for
10 just cause on the Commission's own investigation or on complaint of the Office of People's
11 Counsel, the Attorney General, or an affected party, the Commission may:

12 (i) deny a license to, or revoke, suspend, or refuse to renew the
13 license of, an electricity supplier[, an energy salesperson,] or an energy vendor;

14 (ii) impose a civil penalty or other remedy;

15 (iii) order a refund or credit to a customer; or

16 (iv) impose a moratorium on adding or soliciting additional
17 customers by the electricity supplier[, energy salesperson,] or energy vendor.

18 (2) A civil penalty may be imposed in addition to the Commission's decision
19 to deny, revoke, suspend, or refuse to renew a license or impose a moratorium.

20 (3) Just cause includes:

21 (i) intentionally providing false information to the Commission;

22 (ii) switching, or causing to be switched, the electricity supply for a
23 customer without first obtaining the customer's permission;

24 (iii) failing to provide electricity for its customers;

25 (iv) committing fraud or engaging in deceptive practices;

26 (v) failing to maintain financial integrity;

27 (vi) violating a Commission regulation or order;

28 (vii) failing to pay, collect, remit, or calculate accurately applicable
29 State or local taxes;

1 (viii) violating a provision of this article or any other applicable
2 consumer protection law of the State;

3 (ix) conviction of a felony by the licensee or principal of the licensee
4 or any crime involving fraud, theft, or deceit; AND

5 (x) denial, suspension, or revocation of or refusal to renew a license
6 by any State or federal authority[; and

7 (xi) commission of any of the acts described in items (i) through (x) of
8 this paragraph by a person that is an affiliate of the licensee or that is under common
9 control with the licensee].

10 **(4) THE COMMISSION SHALL PROVIDE AN ELECTRICITY SUPPLIER OR**
11 **ENERGY VENDOR WITH DUE PROCESS BEFORE TAKING ANY ACTION TO SUSPEND OR**
12 **REVOKE A LICENSE.**

13 (l) (1) An electricity supplier, an energy vendor, or any other person[, except
14 for an energy salesperson,] selling or offering to sell electricity in the State in violation of
15 this section or § 7–318 of this title, after notice and an opportunity for a hearing, is subject
16 to:

17 (i) a civil penalty of not more than \$25,000 for the violation;

18 (ii) license denial, revocation, or suspension or refusal to renew the
19 license; or

20 (iii) both.

21 (2) [An energy salesperson selling or offering to sell electricity in the State
22 in violation of this section or § 7–317 of this title, after notice and an opportunity for a
23 hearing, is subject to license denial, revocation, or suspension or refusal to renew the
24 license.

25 (3)] Each day [or part of a day] a violation continues is a separate violation.

26 [(4)] (3) Each customer to whom electricity is sold or offered in violation
27 of this section is a separate violation.

28 [(5)] (4) The Commission shall determine the amount of any civil penalty
29 after considering:

30 (i) the number of previous violations of any provision of this division
31 by the electricity supplier, energy vendor, or other person;

32 (ii) the gravity of the current violation;

1 (iii) the good faith of the electricity supplier, energy vendor, or other
2 person charged in attempting to achieve compliance after notification of the violation; and

3 (iv) any other matter that the Commission considers appropriate and
4 relevant.

5 (m) In connection with a consumer complaint or Commission investigation under
6 this section or [§ 7-317 or] § 7-318 of this title, an electricity supplier, [an energy
7 salesperson,] energy vendor, and any other person selling or offering to sell electricity in
8 the State shall provide to the Commission access to any accounts, books, papers, and
9 documents that the Commission considers necessary to resolve the matter at issue.

10 (n) The Commission may order the electricity supplier, [energy salesperson,] an
11 energy vendor, or other person to cease adding or soliciting additional customers or to cease
12 serving customers in the State.

13 (o) The Commission shall consult with the Consumer Protection Division of the
14 Office of the Attorney General before issuing regulations designed to protect consumers.

15 (p) The People's Counsel shall have the same authority in licensing, complaint,
16 and dispute resolution proceedings as it has in Title 2 of this article.

17 (q) Nothing in this subtitle may be construed to affect the authority of the
18 Division of Consumer Protection in the Office of the Attorney General to enforce violations
19 of Titles 13 and 14 of the Commercial Law Article or any other applicable State law or
20 regulation in connection with the activities of electricity suppliers [, energy salespersons,]
21 and energy vendors.

22 [(r) The Commission may not impose a civil penalty on an energy salesperson
23 under subsection (k) or (l) of this section.]

24 7-510.

25 (d) (1) This subsection applies to residential electricity supply other than
26 supply offered through:

27 (i) standard offer service;

28 (ii) the Department of General Services' sale of energy under §
29 7-704.4 of this title; or

30 (iii) a community choice aggregator under § 7-510.3 of this subtitle.

31 (2) A residential electricity supplier:

1 (i) [may offer electricity, other than green power, only at a price that
2 does not exceed the trailing 12-month average of the electric company's standard offer
3 service rate in the electric company's service territory as of the date of agreement with the
4 customer;

5 (ii) may offer residential electricity supply only for a term not to
6 exceed 12 months at a time;

7 (iii) may, for electricity supply other than green power, automatically
8 renew the term only if the electricity supplier provides notice to the customer 90 days before
9 and 30 days before renewal;

10 (iv) may offer green power that meets the requirements of § 7-707 of
11 this title, but may not automatically renew the term with the customer;

12 (v) subject to paragraph (3) of this subsection, may not offer a
13 variable rate other than a rate that adjusts for seasonal variation not more than twice in a
14 single year; and

15 (vi) may not pay a commission or other incentive-based
16 compensation to an energy salesperson for enrolling customers] **SHALL PROVIDE TWO**
17 **WRITTEN NOTICES TO RESIDENTIAL CUSTOMERS BEFORE THE AUTOMATIC**
18 **RENEWAL OF A FIXED DURATION ELECTRICITY SUPPLY CONTRACT;**

19 **(II) SHALL PROVIDE A WRITTEN NOTICE OF A CHANGE IN PRICE**
20 **ANY TIME THE PRICE INCREASES MORE THAN 10% WITHIN 30 DAYS BEFORE THE**
21 **EFFECTIVE DATE OF A CONTRACT; AND**

22 **(III) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, MAY**
23 **NOT OFFER A VARIABLE RATE THAT ADJUSTS MORE THAN ONCE PER BILLING CYCLE.**

24 (3) Paragraph [(2)(v)] **(2)(III)** of this subsection does not prohibit the offer
25 and use of time-of-use rates that establish different rates for periods within a single day.

26 (4) [A residential electricity supplier may not sell to an electric company,
27 and an electric company may not purchase from the electricity supplier, accounts
28 receivable] **THE COMMISSION MAY ESTABLISH APPROPRIATE PROTECTIONS AND**
29 **SAFEGUARDS FOR RESIDENTIAL ELECTRICITY SUPPLIERS THAT PURCHASE**
30 **ACCOUNTS RECEIVABLES.**

31 [(f) (1) This subsection does not apply to:

32 (i) the Department of General Services' sale of energy under §
33 7-704.4 of this title; or

34 (ii) a community choice aggregator under § 7-510.3 of this subtitle.

1 (2) Except as provided in paragraph (3) of this subsection, as approved by
2 the Commission by regulation or order, each electric company and each residential
3 electricity supplier shall allow a customer to indicate the customer's intention to remain on
4 standard offer service indefinitely and not to receive directed marketing contacts from
5 electricity suppliers through the implementation of a "do not transfer" list onto which the
6 customer may request to be placed.

7 (3) A residential electricity supplier may contact a customer on a "do not
8 transfer" list until the electricity supply agreement entered into between the electricity
9 supplier and the customer expires.]

10 **[(g)] (F)** (1) In this subsection, "billing entity" means an electric company, a
11 licensed electricity supplier, or any other entity that is responsible for issuing an electric
12 bill to a residential customer.

13 (2) On or before the 15th day of each month, each billing entity shall submit
14 a report to the Commission on customer choice in its service territory for the preceding
15 month, including:

16 (i) the total kilowatt-hours distributed to customers purchasing
17 electricity from a third-party electricity supplier;

18 (ii) the total supply cost charged to customers purchasing electricity
19 from a third-party electricity supplier;

20 (iii) the total cost that customers specified in item (ii) of this
21 paragraph would have paid under standard offer service;

22 (iv) the net third-party total cost compared to the net standard offer
23 service cost;

24 (v) the total third-party average rate;

25 (vi) the standard offer service average rate;

26 (vii) the difference between the total third-party average rate and the
27 standard offer service average rate;

28 (viii) the third-party average residential rates broken out by supplier
29 and the variance between each of these rates and the standard offer service average rate;

30 (ix) the third-party average general service nondemand rates broken
31 out by supplier and the variance between each of these third-party rates and the standard
32 offer service average rate;

1 (x) the third-party average general service demand rates broken out
2 by supplier and the variance between each of these third-party rates and the standard offer
3 service average rate;

4 (xi) the third-party average large power demand rates broken out by
5 supplier and the variance between each of these third-party rates and the standard offer
6 service average rate; and

7 (xii) other pertinent information the Commission considers
8 appropriate.

9 [(h)] (G) The Commission shall, by regulation or order, adopt procedures to
10 implement this section.

11 [(i)] (H) Except as provided in § 7-510.3 of this subtitle, a county or municipal
12 corporation may not act as an aggregator unless the Commission determines there is not
13 sufficient competition within the boundaries of the county or municipal corporation.

14 7-602.

15 The General Assembly finds and declares that the purpose of this subtitle is to:

16 (1) clarify existing law regarding the provision of competitive retail gas
17 supply and gas supply services in the State;

18 (2) require the Commission to license gas suppliers[, energy salespersons,]
19 and energy vendors;

20 (3) authorize the Commission to adopt complaint procedures;

21 (4) establish certain requirements relating to the competitiveness of retail
22 gas supply and gas supply services markets; and

23 (5) establish standards for the protection of consumers.

24 7-603.

25 (a) The Commission shall license gas suppliers[, energy salespersons,] and
26 energy vendors and shall have the same authority as the Commission has under [§§ 7-317,
27 7-318,] §§ 7-318 and 7-507 of this title for electricity suppliers[, energy salespersons,]
28 and energy vendors, including the authority to:

29 (1) deny, revoke, suspend, or refuse to renew a license;

30 (2) impose a moratorium, civil penalty, or other remedy; or

1 (3) order a refund for or credit to a customer.

2 (b) The Commission shall adopt licensing requirements and procedures for gas
3 suppliers[, energy salespersons,] and energy vendors that protect consumers, the public
4 interest, and the collection of all State and local taxes, consistent with the requirements for
5 electricity suppliers under Subtitle 5 of this title [and energy salespersons] and energy
6 vendors under Subtitle 3 of this title.

7 7-603.1.

8 (a) (1) Subject to **PARAGRAPH (4) OF THIS** subsection [(b)(5) of this section],
9 for just cause on the Commission's own investigation or on complaint of the Office of
10 People's Counsel, the Attorney General, or an affected party, the Commission may:

11 (i) deny a license to, or revoke, suspend, or refuse to renew the
12 license of, a gas supplier[, an energy salesperson,] or an energy vendor;

13 (ii) impose a civil penalty or other remedy;

14 (iii) order a refund or credit to a customer; or

15 (iv) impose a moratorium on adding or soliciting additional
16 customers by the gas supplier[, energy salesperson,] or an energy vendor.

17 (2) A civil penalty may be imposed in addition to the Commission's decision
18 to deny, revoke, suspend, or refuse to renew a license or impose a moratorium.

19 (3) Just cause includes:

20 (i) intentionally providing false information to the Commission;

21 (ii) switching, or causing to be switched, the gas supply for a
22 customer without first obtaining the customer's permission;

23 (iii) failing to provide gas for its customers;

24 (iv) committing fraud or engaging in deceptive practices;

25 (v) failing to maintain financial integrity;

26 (vi) violating a Commission regulation or order;

27 (vii) failing to pay, collect, remit, or calculate accurately applicable
28 State or local taxes;

29 (viii) violating a provision of this article or any other applicable
30 consumer protection law of the State;

1 (ix) conviction of a felony by the licensee or principal of the licensee
2 or any crime involving fraud, theft, or deceit; AND

3 (x) denial, suspension, or revocation of or refusal to renew a license
4 by any State or federal authority[; and

5 (xi) commission of any of the acts described in items (i) through (x) of
6 this paragraph by a person that is an affiliate of the licensee or that is under common
7 control with the licensee].

8 (4) THE COMMISSION SHALL PROVIDE A GAS SUPPLIER OR AN
9 ENERGY VENDOR WITH DUE PROCESS BEFORE TAKING ANY ACTION TO SUSPEND OR
10 REVOKE A LICENSE.

11 (b) (1) [(i)] A gas supplier, an energy vendor, or any other person[, except
12 for an energy salesperson,] selling or offering to sell gas in the State in violation of this
13 section or § 7–603 of this subtitle, after notice and an opportunity for a hearing, is subject
14 to:

15 [1.] (I) a civil penalty of not more than \$25,000 for the
16 violation;

17 [2.] (II) license denial, revocation, or suspension or refusal
18 to renew the license; or

19 [3.] (III) both.

20 [(ii)] An energy salesperson selling or offering to sell gas in the State
21 in violation of this section or § 7–603 of this subtitle, after notice and an opportunity for a
22 hearing, is subject to license denial, revocation, or suspension or refusal to renew the
23 license.]

24 (2) Each day [or part of a day] a violation continues is a separate violation.

25 (3) Each customer to whom gas is sold or offered in violation of this section
26 is a separate violation.

27 (4) The Commission shall determine the amount of any civil penalty after
28 considering:

29 (i) the number of previous violations of any provision of this division
30 by the gas supplier, energy vendor, or other person;

31 (ii) the gravity of the current violation;

1 (iii) the good faith of the gas supplier, energy vendor, or other person
2 charged in attempting to achieve compliance after notification of the violation; and

3 (iv) any other matter that the Commission considers appropriate and
4 relevant.

5 [(5) The Commission may not impose a civil penalty on an individual energy
6 salesperson in accordance with this subsection.]

7 (c) In connection with a consumer complaint or Commission investigation under
8 this section or § 7-603 of this subtitle, a gas supplier, [an energy salesperson,] an energy
9 vendor, and any other person selling or offering to sell gas in the State shall provide to the
10 Commission access to any accounts, books, papers, and documents that the Commission
11 considers necessary to resolve the matter at issue.

12 (d) The Commission may order the gas supplier, [energy salesperson,] an energy
13 vendor, or other person to cease adding or soliciting additional customers or to cease serving
14 customers in the State.

15 7-604.

16 (a) On or before July 1, 2001, the Commission shall adopt consumer protection
17 orders or regulations for gas suppliers[, energy salespersons,] and energy vendors that:

18 (1) protect consumers from discriminatory, unfair, deceptive, and
19 anticompetitive acts and practices in the marketing, selling, or distributing of natural gas;

20 (2) provide for contracting, enrollment, and billing practices and
21 procedures;

22 **(3) REQUIRE EACH GAS SUPPLIER, WITHIN 10 DAYS AFTER ADDING**
23 **OR REMOVING AN ENERGY VENDOR, TO SUBMIT TO THE COMMISSION A LIST OF ALL**
24 **ENERGY VENDORS CONDUCTING SALES ACTIVITIES ON BEHALF OF THE GAS**
25 **SUPPLIER; and**

26 [(3)] (4) the Commission considers necessary to protect the consumer.

27 (b) In adopting orders and regulations under this section, unless the Commission
28 determines that the circumstances do not require consistency, the Commission shall:

29 (1) provide customers with protections consistent with applicable
30 protections provided to retail electric customers; and

31 (2) impose appropriate requirements on gas suppliers[, energy
32 salespersons,] and energy vendors that are consistent with applicable requirements
33 imposed on electricity suppliers[, energy salespersons,] and energy vendors.

1 7-604.2.

2 (a) In this section, “default gas commodity service” means the supply of retail gas
3 commodity service by a customer’s gas company.

4 (b) (1) This subsection applies to residential gas supply other than default gas
5 commodity service provided by a gas company.

6 (2) A gas supplier that supplies gas to residential retail gas customers:

7 (i) may offer gas service only at a price that does not exceed the
8 trailing 12-month average of the gas company’s default gas commodity service in the gas
9 company’s service territory as of the date of the agreement with the customer;

10 (ii) may offer residential gas supply only for a term not to exceed 12
11 months at a time and may automatically renew the term only if the gas supplier provides
12 notice to the customer 90 days before and 30 days before renewal; **AND**

13 (iii) subject to paragraph (3) of this subsection, may not offer a
14 variable rate other than a rate that adjusts for seasonal variation not more than twice in a
15 single year[; and

16 (iv) may not pay a commission or other incentive-based
17 compensation to an energy salesperson for enrolling customers].

18 (3) Paragraph (2)(iii) of this subsection does not prohibit the offer and use
19 of rates that differ based on the total number of therms used by a customer in any billing
20 period.

21 (4) A gas supplier that supplies gas to residential retail gas customers may
22 not sell to a gas company, and a gas company may not purchase from the gas supplier,
23 accounts receivable.

24 7-605.

25 (a) This subtitle may not be construed to:

26 (1) affect the authority of the Division of Consumer Protection of the Office
27 of the Attorney General to enforce violations of Titles 13 and 14 of the Commercial Law
28 Article or any other applicable State law or regulation in connection with the activities of
29 gas suppliers[, energy salespersons,] or energy vendors; or

30 (2) exempt gas companies, gas suppliers, [energy salespersons,] and
31 energy vendors from otherwise applicable State or federal consumer protection and
32 antitrust laws.

1 (b) The Commission shall consult with the Consumer Protection Division of the
2 Office of the Attorney General before adopting regulations designed to protect consumers
3 of gas supply and gas supply services.

4 (c) The People's Counsel has the same authority in licensing, complaint, and
5 dispute resolution proceedings as the People's Counsel has under Subtitle 5 of this title and
6 Title 2 of this article.

7 (d) In connection with a consumer complaint or Commission investigation under
8 this subtitle, a gas supplier[, an energy salesperson,] or an energy vendor shall provide to
9 the Commission access to any accounts, books, papers, and documents that the Commission
10 considers necessary to resolve a matter in dispute.

11 13–201.

12 (e) (1) Except as provided in paragraphs (2) and (3) of this subsection, a civil
13 penalty collected under this section shall be paid into the Resiliency Hub Grant Program
14 Fund established under § 9–2011 of the State Government Article.

15 (2) A civil penalty assessed for a violation of a service quality and reliability
16 standard under § 7–213 of this article shall be paid into the Electric Reliability Remediation
17 Fund under § 7–213(j) of this article.

18 (3) A civil penalty assessed for a violation of [§ 7–317,] § 7–318, §
19 7–505(b)(7), § 7–507, § 7–603, § 7–603.1, § 7–604, OR § 7–606[, or § 7–707] of this article,
20 or a rule, an order, or a regulation adopted under any of those sections, shall be paid into
21 the Education and Protection Fund under § 7–310 of this article.

22 Chapter 537 of the Acts of 2024

23 SECTION 4. AND BE IT FURTHER ENACTED, That:

24 (1) the licenses of electricity suppliers and gas suppliers that are licensed
25 by the Public Service Commission as of July 1, 2024, shall expire on a staggered basis as
26 determined by the Commission, such that equal numbers of licenses shall expire
27 throughout each of the following 3 years but not later than June 30, 2027; AND

28 (2) [the licenses of energy salespersons who are licensed by the
29 Commission on or before June 30, 2027, shall expire on a staggered basis as determined by
30 the Commission, such that equal numbers of licenses shall expire each year; and

31 (3)] all new and renewed licenses for electricity suppliers[, AND gas
32 suppliers[, and energy salespersons] shall be for a term not exceeding 3 years.

33 [SECTION 5. AND BE IT FURTHER ENACTED, That, on or before December 31,
34 2024, the Public Service Commission shall:

1 (1) in accordance with § 7–311 of the Public Utilities Article, as enacted by
2 Section 1 of this Act, develop a training and education program for any entity or individual
3 that is licensed by the Commission as an electricity supplier, a gas supplier, an energy
4 salesperson, or an energy vendor; and

5 (2) in accordance with § 2–1257 of the State Government Article, report to
6 the General Assembly on the status of the development of the training and education
7 program required under § 7–311 of the Public Utilities Article, as enacted by Section 1 of
8 this Act.]

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2026.