

# **HB 0630 - Public Utilities - DV protections - writ**

Uploaded by: Alice Mutter

Position: FAV



**MARYLAND  
LEGAL AID**

*Advancing*  
**Human Rights and  
Justice for All**

**House Bill 630**

**Utility Account Holders - Victims of Abuse – Protections**

In the Senate Education, Energy, and the Environment Committee

Hearing on March 28, 2023 at 1 PM

**Position: FAVORABLE**

Thank you for the opportunity to present testimony in support of HB 630, a bill that will allow survivors of domestic violence to remove themselves from utility contracts under certain circumstances. Maryland Legal Aid (MLA) is a private, non-profit law firm that provides free legal services to indigent Maryland residents. From 12 offices around the state, MLA helps individuals and families in every Maryland county with many civil legal issues, including housing, consumer, public benefits, and family law matters. MLA also represents abused and neglected children and provides legal assistance to senior citizens and nursing home residents. This letter serves as notice that Alice V. Mutter, Esq., will testify on behalf of Maryland Legal Aid at the request of Delegate Queen.

MLA prioritizes representation in family law cases, namely contested custody matters, where there is a history of domestic abuse. Further, MLA regularly provides representation in collections cases and eviction proceedings where unpaid utilities present a barrier to MLA clients. MLA therefore has a unique understanding of the cross-disciplinary implications of utility contracts in the context of survivors of domestic violence.

Where survivors of domestic violence leave their home due to the abuse, there are long-lasting financial implications where their name remains tied to utility contracts for the property. MLA clients who are unable to remove themselves from utility contracts face barriers to finding new housing and to financial independence.

Even once a tenant leaves the home, they remain liable for utility bills that continue to accrue due to use by a co-tenant, but that remain under their name with the utility company. Maryland case law has established that utilities are not considered rent for purposes of failure to pay rent cases. Despite this, courts nonetheless regularly consider unpaid utility charges in ordering an eviction, and such charges may further result in debt collection actions. Having a court judgment for eviction has devastating consequences on our clients. Landlords repeatedly refuse to rent to individuals because of past evictions. Outstanding utility charges also affect an individual's ability to open a new utility contract for a new residence and negatively impacts credit scores. Landlords increasingly rely on credit scores when screening potential renters. Consequently, the credit score hit that tenants face may preclude them from qualifying for a new lease, or they may be asked to put down a larger security deposit or produce the last month's rent

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in advance. A utility company can also deny service for unpaid bills from a prior residence for 7 years, despite the statute of limitations being only 3 years for contract actions.<sup>1</sup>

Moreover, where a tenant resides in subsidized housing, the Public Housing Authority (PHA) may require that a tenant be paid up on all rent and utilities prior to authorizing relocation or prior to issuing a new housing voucher. Many MLA clients receive subsidized housing through Housing Choice Vouchers issued by the PHA. The PHA can terminate the voucher based on eviction or non-payment of utilities, which may be considered a breach of the lease agreement. Once a voucher is terminated, there is rarely a path to reinstatement. For MLA clients who are unable to afford housing without their voucher, termination presents virtually a complete bar on their ability to find alternate housing at increasingly high market rates.

Finally, bill 630 would comport with existing policy under the Violence Against Women Act (VAWA), which creates protections for survivors of domestic violence in federally subsidized housing.<sup>2</sup> VAWA requires that tenants and applicants be notified in writing of their VAWA rights, allows survivors to use certain types of documentation to invoke VAWA protections; allows survivors to request emergency transfers; allows housing providers to bifurcate leases in instances of a VAWA crime, and imposes confidentiality and recordkeeping duties on housing providers. Despite the efforts of VAWA, there remains a hole in these protections when it comes to utility contracts. HB 630 would fill this gap in protections and protect the rights of survivors.

Where a survivor of domestic violence needs to leave the home, the financial and housing effects of remaining on the hook for utility costs can be debilitating. HB 630 would therefore remove these barriers faced by survivors. **For these reasons, MLA urges a favorable report on HB 630.**

Sincerely



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<sup>1</sup> Md. Code Regs. 20.50.04.01-2.

<sup>2</sup> Pub. L. 113-4, 127 Stat. 154 (Mar. 7, 2013), codified at 34 U.S.C.A. § 12471, et seq. (West 2018) (formerly 42 U.S.C.A. § 14043e, reclassified as of Sept. 1, 2017).

# **HB 630 Economic Action Maryland Crossover.pdf**

Uploaded by: Isadora Stern

Position: FAV



Testimony to the Senate Education, Energy, and the Environment Committee  
HB 630: Public Utilities - Primary and Secondary Account Holders - Domestic Violence  
Protections  
Position: Favorable

March 28, 2023

The Honorable Brian J. Feldman, Chair  
Education, Energy, and the Environment Committee  
2 West, Miller Senate Office Building  
Annapolis, MD 21401  
cc: Members, Education, Energy, and the Environment Committee

Honorable Chair Feldman and Members of the Committee:

Economic Action Maryland (formerly the Maryland Consumer Rights Coalition) is a people-centered movement to expand economic rights, housing justice, and community reinvestment for working families, low-income communities, and communities of color. Economic Action Maryland provides direct assistance today while passing legislation and regulations to create systemic change in the future.

We are writing today in support of HB 630.

Economic abuse is experienced by 95% of domestic violence survivors. This economic abuse can take a number of forms including sabotaging income and access to money; restricting and controlling access and use of money; and, exploiting the victims financial situation by insisting all accounts be held jointly or in their name, racking up credit and other debts in their name, and misuse money in joint accounts. In sum, an abuser uses these tactics to make the victim financially dependent and without resources to leave. When a victim does leave, it's often difficult to disentangle these accounts and the victim is left with poor credit and few assets with which to rebuild their lives.

HB 630 addresses this issue in terms of utilities by allowing a victim of domestic violence to be released from the contract under narrow circumstances.

For all these reasons, we support HB 630 and urge a favorable report.

Best,

Marceline White  
Executive Director

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# **BGE-EEE-SUPP-House?Bill?630- Public Utilities - Pr**

Uploaded by: John Quinn

Position: FAV

Support

Education, Energy, and  
Environment

3/28/2023

**House Bill 630- Public Utilities - Primary and Secondary Account Holders - Domestic  
Violence Protections**

Baltimore Gas and Electric Company (BGE) supports House *Bill 630 - Public Utilities - Primary and Secondary Account Holders - Domestic Violence Protections*, a bill that requires the utility companies to release a victim of domestic violence from a utility contract.

BGE acknowledges the pernicious effects of domestic violence and the challenges that survivors face in extricating themselves from abusive homes. We salute the sponsor for proposing measures that will reduce the financial and logistical burdens that survivors face in escaping their abusers.

BGE had concerns that the legislation as introduced would incentivize fraud by debtors seeking to avoid paying past due amounts. However, as amended, the legislation has safeguards that make clear that a new account can be opened at a new premise notwithstanding debt from a previous premise.

BGE commends the sponsor and members of the General Assembly for considering the circumstances of domestic violence victims and working to help them escape to safety and security. As one of Maryland's largest utilities and largest employers, we are committed to being a part of that conversation.

For these reasons, BGE strongly supports House Bill 630 and urges a favorable Committee report.

BGE, headquartered in Baltimore, is Maryland's largest gas and electric utility, delivering power to more than 1.2 million electric customers and more than 655,000 natural gas customers in central Maryland. The company's approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC), the nation's leading competitive energy provider.

# **Utilities - testimony - house in senate - 2023 - M**

Uploaded by: Lisae C Jordan

Position: FAV





**Working to end sexual violence in**

**Maryland**

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**Testimony Supporting House Bill 630**  
**Lisae C. Jordan, Executive Director & Counsel**  
March 28, 2023

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence in the State of Maryland. We urge the Education, Energy, and the Environment Committee to report favorably on House Bill 630.

**HB630 – Public Utilities - Primary and Secondary Account Holders - Domestic Violence**

House Bill 630 will enable a victim of domestic violence to remove themselves from a shared utilities account or contract. This can enhance the possibility that they can separate from their abuser and establish a safe life elsewhere.

Sexual assault is often part of domestic violence. 33% of rapes are perpetrated by a current or former intimate partner.<sup>1</sup> 40% to 45% of individuals in an abusive relationship will also be sexually assaulted by their partner.<sup>2</sup> Ending domestic violence and helping survivors create safety is an important part of ending sexual violence. House Bill 630 would create a practical tool to help support survivors.

**The Maryland Coalition Against Sexual Assault urges  
the Education, Energy, and the Environment Committee to  
report favorably on House Bill 630**

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<sup>1</sup> Tjaden, P., & Thoennes, N. (2000, November). Full report of the Prevalence, Incidence, and Consequences of Violence Against Women.

<sup>2</sup> Tjaden, P., & Thoennes, N. (2000, July). Extent, nature, and consequences of intimate partner violence.

# **HB 630 FWA House of Ruth crossover.pdf**

Uploaded by: Dorothy Lennig

Position: FWA



Marjorie Cook Foundation

Domestic Violence Legal Clinic

2201 Argonne Drive • Baltimore, Maryland 21218 • 410-554-8463 • dlennig@hruthmd.org

**TESTIMONY IN SUPPORT WITH AMENDMENTS OF HOUSE BILL 630**

March 28, 2023

**DOROTHY J. LENNIG, LEGAL CLINIC DIRECTOR**

House of Ruth Maryland is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State. House of Ruth has offices in Baltimore City, Baltimore County, Prince George's County, and Montgomery County. HB 630 would require utility companies to release a primary or secondary account holder who is the victim of domestic violence from a contract held with the utility. **We urge the Senate Education, Energy, and the Environment Committee to amend and issue a favorable report on HB 630.**

HB 630 would enable victims of domestic violence to remove themselves from shared utilities accounts, thereby removing a barrier to leaving the relationship and ending the abuse. When victims of domestic violence flee from their abusers, they face a myriad of difficulties. They face safety issues, as the time of separation can often be the most dangerous time for domestic violence victims. They face housing issues, as it is often hard to find new housing quickly. They also face financial issues, including having enough money for a security deposit, money for the move, and buying new furniture for their new residence. One oft-overlooked issue is establishing utility accounts in their own name. HB 630 would reduce one of the obstacles to leaving an abusive relationship by requiring utility companies to release an account holder who is a domestic violence victim from a utility contract.

HB 630 requires the victim to provide an attestation in writing as a victim of domestic violence. The written attestation must be by either law enforcement, a domestic violence, sexual assault, or human trafficking program, or a religious or medical professional. This requirement is similar to that of the Address Confidentiality Program. HB 630 will add an important element to the array of tools available to survivors of domestic violence to create independent, violence-free lives.

House of Ruth asks the Senate Education, Energy, and the Environment Committee make a small amendment to clarify that HB 630 applies to protective orders in addition to peace orders. We suggest that on page 3, line 24, strike "**PEACE**" and substitute "**PROTECTIVE.**" The current language cites to the protective order statute but refers to it as a peace order.

**House of Ruth urges the Senate Education, Energy, and the Environment Committee to amend and favorable report on House Bill 630.**

# **HPP Senate Testimony HB 630- FAV.pdf**

Uploaded by: Jessica Emerson

Position: FWA

## Testimony of the Human Trafficking Prevention Project

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<b>BILL NO:</b>	House Bill 630
<b>TITLE:</b>	Public Utilities – Primary and Secondary Account Holders – Domestic Violence
<b>COMMITTEE:</b>	Education, Energy, and the Environment
<b>HEARING DATE:</b>	March 28, 2023
<b>POSITION:</b>	<b>FAVORABLE WITH AMENDMENTS</b>

House Bill 630 will allow for a victim of domestic violence to remove themselves from a shared utilities account or contract without penalty. **The Human Trafficking Prevention Project supports this bill with amendments because it addresses one of the many obstacles victims of domestic violence face when attempting to leave an abusive relationship, many of whom are also victims of human trafficking.**

There are many barriers a victim of domestic violence must overcome when planning to leave a violent and abusive relationship. Enabling these victims to remove themselves from a shared utilities account or contract improves the possibility that they can separate from their abuser and establish a safe life elsewhere. The documentation required for eligibility is comparable to what is required to enroll in the Address Confidentiality Program.<sup>1</sup> Eligibility for the Address Confidentiality Program is also contingent upon the relocation of a victim to a new address compounding the importance of a victim’s ability to establish themselves separately from their abuser.

To fully appreciate the need for HB 630 it is important to understand some of the complexities of domestic violence and its intersection with economic justice. The most dangerous time for a victim of domestic violence is when they leave, increasing the risk of homicide as well as increased violence.<sup>2</sup> It is also estimated that between 94-99% of domestic violence victims have experienced economic abuse.<sup>3</sup> Additionally, 38% of all victims of domestic violence become homeless at some point in their lives,<sup>4</sup> which is a direct predictor of both labor and sexual exploitation.<sup>5</sup>

Safety planning is one of the many services domestic violence and anti-human trafficking programs provide and it is crucial for the safety of the victim leaving and any children or other relatives escaping with them. Domestic violence service providers in Maryland report that one of the significant issues that they navigate with victims when planning a safe exit is how to address the existence of shared utility accounts. Victims commonly encounter obstacles in establishing new accounts because there are existing accounts that victims may be unaware they are listed on or on which there may be money owed. In addition, it is imperative that the abuser not have any knowledge of changes made to the account since this could alert them to the fact that their victim is planning to leave. HB 630 would not provide for the termination of the utility account, but rather the removal of the victim’s name from and obligation to the account.

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<sup>1</sup> MD STATE GOVT § 7-304.

<sup>2</sup> <https://ncadv.org/why-do-victims-stay>.

<sup>3</sup> <https://ncadv.org/blog/posts/quick-guide-economic-and-financial-abuse>.

<sup>4</sup> [https://nnedv.org/wp-content/uploads/2019/07/Library\\_TH\\_2018\\_DV\\_Housing\\_Homelessness.pdf](https://nnedv.org/wp-content/uploads/2019/07/Library_TH_2018_DV_Housing_Homelessness.pdf).

<sup>5</sup> See generally Polaris, *On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking, Housing and Homelessness Systems* (July 2018), <https://polarisproject.org/wp-content/uploads/2018/08/A-Roadmap-for-Systems-and-Industries-to-Prevent-and-Disrupt-Human-Trafficking-Housing-and-Homelessness-Systems.pdf>.

Thankfully, other states have begun to address this issue. The most comparable to HB 630 is New York's statute which allows for a victim of domestic violence to remove their name and opt-out of a shared utility, phone, and television contract without penalty with self-attestation that they are a victim of domestic violence.<sup>6</sup> The need to be released from an existing contract is most consistent with the initial identified need of victims of domestic violence in Maryland who find themselves on a shared utilities contract and planning to escape their abuser.

Leaving a violent relationship is far from simple and is often a process rather than a one-time event. House Bill 630 is intended to address one of the many obstacles victims face during this process and will therefore improve the likelihood of their safe escape. **For these reasons, the Human Trafficking Prevention Project supports House Bill 630 with the following amendments: on page 3, line 24, strike "PEACE" and substitute "PROTECTIVE."** We respectfully urge a favorable report.

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<sup>6</sup> <https://law.justia.com/codes/new-york/2022/pbs/article-2/48-a/>

**Cross over - HB 630 - FWA - Women's Law Center of**

Uploaded by: Laure Ruth

Position: FWA

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BILL NO: House Bill 630  
TITLE: Public Utilities - Primary and Secondary Account Holders - Domestic Violence Protections  
COMMITTEE: Education, Energy, and the Environment  
HEARING DATE: March 28, 2023  
POSITION: **SUPPORT WITH AMENDMENTS**

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House Bill 630 would provide an avenue for a survivor of domestic violence (also called intimate partner violence) to remove their name from a utility account, whether they are the primary or the secondary account holder. The Women's Law Center supports this bill as an important way for a survivor to be able to move forward in their life. We suggest a friendly amendment to correct a drafting error.

People who are experiencing domestic violence often cannot leave their abuser because of the intertwining, often financially, of their lives with their abuser. Things such as sharing a utility account, having a telephone plan together and the like are reasons that people cannot leave the relationship or home where the abuse is occurring. House Bill 630 would be a valuable change in our laws for survivors to be able to move out and move forward in their lives, helping to sever the ties to their abuser.

Under HB 630, upon adequate proof, as described in the bill, that the person is survivor of domestic violence, they would be able to be removed from the utility bill. The utility company, as defined in the bill, would not be able to require additional information other than what is in the bill. It would also not be able to make removal contingent on paying any arrearages or on obtaining permission from the other account holder. Victims may not even have known their names were on those accounts at all and there may be money owed. It is imperative that the abuser not be alerted that any changes have been to an account since that could trigger their knowledge that their victim is planning to leave.

Also, under HB 630 the documentation required for eligibility is comparable to what is required to enroll in our state's Address Confidentiality Program. It is not based purely on self-attestation. Eligibility for the Address Confidentiality Program is contingent upon the relocation of a victim to a new address compounding the importance of a victim's ability to establish themselves separately from their abuser.

We ask the Committee to adopt an amendment as follows:

“on page 3, line 24, strike “PEACE” and substitute “PROTECTIVE”

For all the foregoing reasons the Women's Law Center of Maryland, Inc. urges a favorable report on House Bill 630 with amendment.

*The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.*



**HB 630\_MNADV\_FWA\_EEE.pdf**

Uploaded by: Melanie Shapiro

Position: FWA



**BILL NO:** House Bill 630  
**TITLE:** Utility Account Holders - Victims of Abuse - Protections  
**COMMITTEE:** Education, Energy, and the Environment  
**HEARING DATE:** March 28, 2023  
**POSITION:** **SUPPORT WITH AMENDMENTS**

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The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Education, Energy, and the Environment Committee to issue a favorable report with amendment on HB 630.**

MNADV requests the Education, Energy, and the Environment Committee make a technical amendment to clarify that HB 630 applies to protective orders in addition to peace orders. We suggest that on page 3, line 24, strike “PEACE” and substitute “PROTECTIVE.” The current language cites the the protective order statute but refers to it as a peace order and in the next section discusses and cites the peace order statutes.

There are many barriers a victim of domestic violence must overcome when planning to leave a violent and abusive relationship. House Bill 630 is intended to address one obstacle and will improve the ability of a victim of domestic violence to safely escape. Enabling a victim of domestic violence to remove themselves from a shared utilities account or contract can enhance the possibility that they can separate from their abuser and establish a safe life elsewhere. The documentation required for eligibility is comparable to what is required to enroll in the Address Confidentiality Program.<sup>1</sup> Eligibility for the Address Confidentiality Program is also contingent upon the relocation of a victim to a new address compounding the importance of a victim’s ability to establish themselves separately from their abuser.

To fully appreciate the need for HB 630 it is important to understand some of the complexities of domestic violence and its intersection with economic justice. The most dangerous time for a victim of domestic violence is when they leave, increasing the risk of homicide as well as increased violence.<sup>2</sup> It is also estimated that between 94-99% of domestic violence victims have experienced economic abuse.<sup>3</sup> Additionally, 38% of all victims of domestic violence become homeless at some point in their lives.<sup>4</sup>

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<sup>1</sup> MD STATE GOVT § 7-304

<sup>2</sup> <https://ncadv.org/why-do-victims-stay>

<sup>3</sup> <https://ncadv.org/blog/posts/quick-guide-economic-and-financial-abuse>

<sup>4</sup> [https://nnedv.org/wp-content/uploads/2019/07/Library\\_TH\\_2018\\_DV\\_Housing\\_Homelessness.pdf](https://nnedv.org/wp-content/uploads/2019/07/Library_TH_2018_DV_Housing_Homelessness.pdf)



Safety planning is one of the many services domestic violence programs provide and it is crucial for the safety of the victim leaving and any children or other relatives escaping with them. Domestic violence service providers in Maryland report that one of the significant issues that they navigate with victims when planning a safe exit is utility accounts. They encounter obstacles in establishing new accounts often because there are existing accounts. Victims may not even have known their names were on those accounts at all and there may be money owed. It is imperative that the abuser not be alerted that any changes have been to an account since that could trigger their knowledge that their victim is planning to leave. This is not the termination of the utility account but the removal of one party's name and obligation, the victim.

Other states have begun to address this issue. The most comparable to HB 630 is New York's statute which allows for a victim of domestic violence to remove their name and opt-out of a shared utility, phone, and television contract without penalty with self-attestation that they are a victim of domestic violence.<sup>5</sup> The need to be released from an existing contract is most consistent with the initial identified need of victims of domestic violence in Maryland who find themselves on a shared utilities contract and planning to escape their abuser.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report with amendment on HB 630.**

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<sup>5</sup> <https://law.justia.com/codes/new-york/2022/pbs/article-2/48-a/>

For further information contact Melanie Shapiro ■ Public Policy Director ■ 301-852-3930 ■ [mshapiro@mnadv.org](mailto:mshapiro@mnadv.org)