

HOUSE BILL 1224

C5, M5

0lr1921
CF SB 685

By: **Delegates Lierman, Charkoudian, R. Lewis, Palakovich Carr, Ruth, and Stein**
Introduced and read first time: February 7, 2020
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Electricity and Gas – Energy Suppliers – Assisted Customers**

3 FOR the purpose of prohibiting a retail electricity supplier from knowingly enrolling a
4 certain residential customer with or submitting an enrollment to change a certain
5 customer's electricity supplier to a competitive supplier under certain circumstances;
6 requiring an electric company to confirm certain matters in its records at a certain
7 time; requiring an electric company to reject a certain enrollment or change request
8 under certain circumstances; requiring an electric company to verify a certain
9 customer's status at a certain time; providing that an electric customer is considered
10 to have chosen standard offer service if the customer has received certain assistance
11 during a certain period; prohibiting a retail natural gas supplier from knowingly
12 enrolling a certain residential customer with or submitting an enrollment to change
13 a certain customer's natural gas supplier to a competitive supplier under certain
14 circumstances; requiring a gas company to confirm certain matters in its records at
15 a certain time; requiring a gas company to reject a certain enrollment or change
16 request under certain circumstances; requiring a gas company to verify a certain
17 customer's status at a certain time; providing that a natural gas customer is
18 considered to purchase natural gas supply from the gas company if the customer has
19 received certain assistance during a certain period; providing that certain
20 agreements for electricity supply and natural gas supply are void and unenforceable
21 under certain circumstances; providing for the application of this Act; providing that
22 existing obligations or contract rights may not be impaired by this Act; and generally
23 relating to electricity and natural gas supply.

24 BY adding to
25 Article – Public Utilities
26 Section 7–505(e) and 7–604.2
27 Annotated Code of Maryland
28 (2010 Replacement Volume and 2019 Supplement)

29 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



Article – Public Utilities
Section 7–510(c)(2)
Annotated Code of Maryland
(2010 Replacement Volume and 2019 Supplement)

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

Article – Public Utilities

7–505.

**(E) (1) ON AND AFTER NOVEMBER 1, 2020, A RETAIL ELECTRICITY
SUPPLIER MAY NOT KNOWINGLY ENROLL A RESIDENTIAL CUSTOMER WITH, OR
SUBMIT AN ENROLLMENT TO CHANGE A RESIDENTIAL CUSTOMER’S ELECTRICITY
SUPPLIER TO, A COMPETITIVE SUPPLIER, IF THE RECORDS OF THE ELECTRIC
COMPANY INDICATE THAT DURING THE PRECEDING 12 MONTHS THE CUSTOMER
HAS:**

**(I) RECEIVED FINANCIAL ASSISTANCE DURING THE
PRECEDING 12 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE
OF HOME ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR**

**(II) PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED
BY THE COMMISSION.**

**(2) (I) BEFORE AN ELECTRIC COMPANY ENROLLS A RESIDENTIAL
CUSTOMER WITH, OR EXECUTES A CHANGE IN A RESIDENTIAL CUSTOMER’S
ELECTRICITY SUPPLIER TO, A COMPETITIVE SUPPLIER, THE ELECTRIC COMPANY
SHALL CONFIRM AT THE TIME OF THE REQUEST WHETHER ITS RECORDS INDICATE
THAT DURING THE PRECEDING 12 MONTHS THE CUSTOMER HAS:**

**1. RECEIVED FINANCIAL ASSISTANCE DURING THE
PRECEDING 12 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE
OF HOME ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR**

**2. PARTICIPATED IN ANY ASSISTANCE PROGRAM
AUTHORIZED BY THE COMMISSION.**

**(II) IF THE CUSTOMER HAS RECEIVED ASSISTANCE OR
PARTICIPATED IN A PROGRAM UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE
ELECTRIC COMPANY SHALL REJECT THE ENROLLMENT OR CHANGE REQUEST FOR
THE CUSTOMER.**

(3) THE ELECTRIC COMPANY SHALL VERIFY THE STATUS OF A RESIDENTIAL CUSTOMER RECEIVING ASSISTANCE AT THE TIME OF EACH COMPETITIVE SUPPLY CONTRACT RENEWAL OR CHANGE IN COMMODITY PRICE.

(4) AN AGREEMENT BETWEEN A RETAIL ELECTRICITY SUPPLIER AND A RESIDENTIAL CUSTOMER IN VIOLATION OF THIS SECTION IS VOID AND UNENFORCEABLE.

7-510.

(c) (2) Electricity supply purchased from a customer's electric company is known as standard offer service. A customer is considered to have chosen the standard offer service if the customer:

(i) is not allowed to choose an electricity supplier under the phase in of customer choice in subsection (a) of this section;

(ii) contracts for electricity with an electricity supplier and it is not delivered;

(iii) cannot arrange for electricity from an electricity supplier;

(iv) does not choose an electricity supplier;

(v) chooses the standard offer service; [or]

(vi) has been denied service or referred to the standard offer service by an electricity supplier in accordance with § 7-507(e)(6) of this subtitle; **OR**

(VII) HAS:

1. RECEIVED FINANCIAL ASSISTANCE DURING THE PRECEDING 12 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE OF HOME ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR

2. PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED BY THE COMMISSION.

7-604.2.

(A) ON AND AFTER NOVEMBER 1, 2020, A RETAIL NATURAL GAS SUPPLIER MAY NOT KNOWINGLY ENROLL A RESIDENTIAL CUSTOMER WITH, OR SUBMIT AN ENROLLMENT TO CHANGE A RESIDENTIAL CUSTOMER'S NATURAL GAS SUPPLIER TO, A COMPETITIVE SUPPLIER, IF THE RECORDS OF THE GAS COMPANY INDICATE THAT DURING THE PRECEDING 12 MONTHS THE CUSTOMER HAS:

1 (1) RECEIVED FINANCIAL ASSISTANCE DURING THE PRECEDING 12
2 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE OF HOME
3 ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR

4 (2) PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED BY
5 THE COMMISSION.

6 (B) (1) BEFORE A GAS COMPANY ENROLLS A RESIDENTIAL CUSTOMER
7 WITH, OR EXECUTES A CHANGE IN A RESIDENTIAL CUSTOMER'S NATURAL GAS
8 SUPPLIER TO, A COMPETITIVE SUPPLIER, THE GAS COMPANY SHALL CONFIRM AT
9 THE TIME OF THE REQUEST WHETHER ITS RECORDS INDICATE THAT DURING THE
10 PRECEDING 12 MONTHS THE CUSTOMER HAS:

11 (I) RECEIVED FINANCIAL ASSISTANCE DURING THE
12 PRECEDING 12 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE
13 OF HOME ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR

14 (II) PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED
15 BY THE COMMISSION.

16 (2) IF THE CUSTOMER HAS RECEIVED ASSISTANCE OR PARTICIPATED
17 IN A PROGRAM UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE GAS COMPANY
18 SHALL REJECT THE ENROLLMENT OR CHANGE REQUEST FOR THE CUSTOMER.

19 (C) THE GAS COMPANY SHALL VERIFY THE STATUS OF A RESIDENTIAL
20 CUSTOMER RECEIVING ASSISTANCE AT THE TIME OF EACH COMPETITIVE SUPPLY
21 CONTRACT RENEWAL OR CHANGE IN COMMODITY PRICE.

22 (D) A RETAIL NATURAL GAS CUSTOMER IS CONSIDERED TO HAVE CHOSEN
23 TO PURCHASE NATURAL GAS SUPPLY FROM THE GAS COMPANY IF THE CUSTOMER
24 HAS:

25 (1) RECEIVED FINANCIAL ASSISTANCE DURING THE PRECEDING 12
26 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE OF HOME
27 ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR

28 (2) PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED BY
29 THE COMMISSION.

30 (E) AN AGREEMENT BETWEEN A RETAIL GAS SUPPLIER AND A RESIDENTIAL
31 CUSTOMER IN VIOLATION OF THIS SECTION IS VOID AND UNENFORCEABLE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
2 contracts for electricity and natural gas supply for customers in the State on and after
3 November 1, 2020, including contracts that are renewed or that have any change in the
4 price for the energy commodity supply on or after that date.

5 SECTION 3. AND BE IT FURTHER ENACTED, That a presently existing obligation
6 or contract right may not be impaired in any way by this Act.

7 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2020.