

# SENATE BILL 628

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By: **Senator Kagan**

Introduced and read first time: February 3, 2020

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Utilities – Surviving Spouse of Account Holder – Protections**

3 FOR the purpose of requiring a certain utility, on presentation of certain documents and  
4 without requiring certain information or imposing a fee or penalty, to temporarily  
5 keep a certain account open for a certain period of time or transfer a certain account  
6 to a surviving spouse under certain circumstances; authorizing a certain utility to  
7 impose a fee or penalty or terminate an account for nonpayment under certain  
8 circumstances or to close a certain account under certain circumstances; defining  
9 certain terms; and generally relating to duties of utility accounts to surviving  
10 spouses of account holders.

11 BY adding to  
12 Article – Public Utilities  
13 Section 5–501 to be under the new subtitle “Subtitle 5. Miscellaneous”  
14 Annotated Code of Maryland  
15 (2010 Replacement Volume and 2019 Supplement)

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

18 **Article – Public Utilities**

19 **SUBTITLE 5. MISCELLANEOUS.**

20 **5–501.**

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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.



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

(2) "ACCOUNT HOLDER" MEANS THE INDIVIDUAL IN WHOSE NAME A UTILITY ACCOUNT IS ESTABLISHED.

(3) "UTILITY" MEANS AN ELECTRIC COMPANY, AN ELECTRICITY SUPPLIER, A GAS COMPANY, A GAS SUPPLIER, A SEWAGE DISPOSAL COMPANY, A WATER COMPANY, OR ANY COMBINATION OF THESE COMPANIES.

(B) IF AN ACCOUNT HOLDER'S SURVIVING SPOUSE PRESENTS TO A UTILITY THE ACCOUNT HOLDER'S DEATH CERTIFICATE AND THEIR MARRIAGE CERTIFICATE OR A STATE OR FEDERAL TAX RETURN FILED JOINTLY BY THE ACCOUNT HOLDER AND THE SURVIVING SPOUSE IN THE IMMEDIATELY PRECEDING YEAR, THE UTILITY SHALL, WITHOUT REQUIRING ANY FURTHER INFORMATION, OTHER THAN UPDATED CONTACT INFORMATION, OR IMPOSING ANY FEE OR PENALTY:

(1) TEMPORARILY KEEP THE ACCOUNT OPEN FOR A PERIOD OF NOT LESS THAN 6 MONTHS AND, DURING THAT TIME, TREAT THE SURVIVING SPOUSE AS A JOINT HOLDER OF THE ACCOUNT; OR

(2) TRANSFER THE ACCOUNT TO THE SURVIVING SPOUSE.

(C) NOTWITHSTANDING SUBSECTION (B)(1) OF THIS SECTION, A UTILITY MAY:

(1) IN ACCORDANCE WITH ANY OTHER APPLICABLE LAW, IMPOSE A FEE OR PENALTY OR TERMINATE AN ACCOUNT FOR NONPAYMENT; OR

(2) AT THE REQUEST OF THE SURVIVING SPOUSE, CLOSE THE ACCOUNT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.