

SENATE BILL 512

N1, C5

EMERGENCY BILL

9lr1685
CF HB 1318

By: **Senators Ellis, Augustine, Bailey, Beidle, Benson, Carozza, Carter, Elfreth, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hester, Jennings, Kagan, King, Klausmeier, Kramer, Lam, Lee, McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Reilly, Rosapepe, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker**

Introduced and read first time: February 4, 2019

Assigned to: Finance and Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2019

CHAPTER _____

1 AN ACT concerning

2 **Government Shutdowns – Employees – Protections**

3 FOR the purpose of prohibiting a public service company from terminating electric or gas
4 service to certain residential customers for nonpayment on certain days under
5 certain circumstances; authorizing the Public Service Commission to adopt certain
6 regulations; requiring a certain court to stay certain proceedings for the foreclosure
7 or repossession of certain residential property for a certain period of time under
8 certain circumstances; defining ~~a certain term~~ terms; making this Act an emergency
9 measure; and generally relating to protections for government employees subject to
10 a government shutdown.

11 BY adding to
12 Article – Public Utilities
13 Section 7–307.4
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2018 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Real Property
18 Section 7–105.1(a)(1) and (8) and 8–401(a)
19 Annotated Code of Maryland

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.



(2015 Replacement Volume and 2018 Supplement)

BY adding to

Article – Real Property

Section 7–105.1(b–1) and 8–401(b–1)

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

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

Article – Public Utilities

7–307.4.

~~(A) IN THIS SECTION, “ELIGIBLE RESIDENTIAL CUSTOMER” MEANS A~~

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

(2) “ELIGIBLE RESIDENTIAL CUSTOMER” MEANS A RESIDENTIAL ELECTRIC OR GAS CUSTOMER WHO IS:

~~(1)~~ **(1) EMPLOYED BY THE FEDERAL OR STATE GOVERNMENT OR A LOCAL GOVERNMENT IN THE STATE; AND**

~~(2)~~ **(II) INVOLUNTARILY FURLOUGHED FROM WORK WITHOUT PAY BECAUSE OF A GOVERNMENT SHUTDOWN, REGARDLESS OF WHETHER THE EMPLOYEE IS REQUIRED TO REPORT TO WORK DURING THE FURLOUGH.**

(3) “GOVERNMENT SHUTDOWN” MEANS A GOVERNMENT SHUTDOWN THAT:

(I) OCCURS WHEN GOVERNMENT FUNDING IS UNAVAILABLE TO OPERATE THE GOVERNMENTAL ACTIVITIES DUE TO THE LACK OF A LEGISLATIVE APPROPRIATION OR A CONTINUING RESOLUTION; AND

(II) LASTS FOR A PERIOD THAT EXCEEDS 7 CONSECUTIVE DAYS.

(B) A PUBLIC SERVICE COMPANY MAY NOT TERMINATE ELECTRIC OR GAS SERVICE TO AN ELIGIBLE RESIDENTIAL CUSTOMER FOR NONPAYMENT ON A DAY THAT ~~THE FURLOUGH~~ A GOVERNMENT SHUTDOWN IS IN EFFECT ~~OR~~ AND FOR 7 DAYS AFTER THE ~~FURLOUGH~~ GOVERNMENT SHUTDOWN HAS ENDED IF THE CUSTOMER CONTACTS THE PUBLIC SERVICE COMPANY BEFORE THE DATE OF TERMINATION TO:

1 GOVERNMENT SHUTDOWN WITHOUT A SHOWING OF SUFFICIENT CAUSE BY A PARTY
2 TO THE ACTION.

3 8-401.

4 (a) Whenever the tenant or tenants fail to pay the rent when due and payable, it
5 shall be lawful for the landlord to have again and repossess the premises.

6 (B-1) (1) THIS SUBSECTION APPLIES ONLY TO AN ACTION FOR THE
7 REPOSSESSION OF RESIDENTIAL PROPERTY FOR FAILURE TO PAY RENT DUE
8 DURING A GOVERNMENT SHUTDOWN.

9 (2) NOTWITHSTANDING ANY OTHER LAW, THE COURT SHALL STAY
10 THE PROCEEDING IF THE TENANT OR AN OCCUPANT OF THE PROPERTY THAT IS THE
11 SUBJECT OF THE PROCEEDING PRESENTS EVIDENCE SATISFACTORY TO THE COURT
12 THAT THE OCCUPANT:

13 (I) USES THE PROPERTY AS THE INDIVIDUAL'S PRIMARY
14 RESIDENCE;

15 (II) IS AN EMPLOYEE OF THE FEDERAL OR STATE GOVERNMENT
16 OR AN EMPLOYEE OF A LOCAL GOVERNMENT IN THE STATE; AND

17 (III) IS ~~CURRENTLY~~ INVOLUNTARILY FURLOUGHED FROM WORK
18 WITHOUT PAY BECAUSE OF A GOVERNMENT SHUTDOWN, REGARDLESS OF WHETHER
19 THE EMPLOYEE IS REQUIRED TO REPORT TO WORK DURING THE FURLOUGH.

20 (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A
21 STAY UNDER THIS SUBSECTION SHALL BE GRANTED FOR A TIME THAT THE COURT
22 CONSIDERS REASONABLE.

23 (II) A STAY UNDER THIS SUBSECTION MAY NOT BE GRANTED
24 FOR A PERIOD THAT ENDS MORE THAN 30 DAYS AFTER THE END OF THE
25 GOVERNMENT SHUTDOWN WITHOUT A SHOWING OF SUFFICIENT CAUSE BY A PARTY
26 TO THE ACTION.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
28 measure, is necessary for the immediate preservation of the public health or safety, has
29 been passed by a yea and nay vote supported by three-fifths of all the members elected to
30 each of the two Houses of the General Assembly, and shall take effect from the date it is
31 enacted.