

HOUSE BILL 1633

C5

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By: **Delegates Rose, Adams, Baker, Buckel, Hartman, Hornberger, Miller, Pippy, Stonko, Tomlinson, Valentine, and Wivell**

Introduced and read first time: February 25, 2026

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Retail Supply of Electricity and Gas**
3 **(Energy Savings Act of 2026)**

4 FOR the purpose of repealing certain provisions relating to energy salespersons and energy
5 vendors, residential energy retailers, residential electricity supplier license terms,
6 and green power; repealing the authority of the Public Service Commission to take
7 certain disciplinary actions against electricity suppliers and gas suppliers; altering
8 the amount of certain civil penalties that may be assessed with respect to electricity
9 suppliers and gas suppliers for certain violations; repealing certain restrictions on
10 the offer and sale of certain electricity supply and gas supply; repealing certain
11 reporting requirements for electricity suppliers; abolishing a certain division within
12 the Commission; providing for the transfer of certain employees; and generally
13 relating to retail energy supply.

14 BY repealing

15 Article – Public Utilities
16 Section 1–101(l–1) and (l–2), 7–315, 7–317, 7–318, 7–510(d), and 7–707
17 Annotated Code of Maryland
18 (2025 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Public Utilities
21 Section 1–101(a)
22 Annotated Code of Maryland
23 (2025 Replacement Volume and 2025 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Public Utilities
26 Section 7–310, 7–311, 7–507, 7–510(e) through (i), 7–602, 7–603, 7–603.1, 7–604,
27 7–604.2, 7–605, 7–705(a), and 13–201(e)(3)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2025 Replacement Volume and 2025 Supplement)

3 BY repealing and reenacting, with amendments,
4 Chapter 537 of the Acts of the General Assembly of 2024
5 Section 5

6 BY repealing
7 Chapter 537 of the Acts of the General Assembly of 2024
8 Section 4

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
10 That Section(s) 7–315, 7–317, 7–318, and 7–707 of Article – Public Utilities of the
11 Annotated Code of Maryland be repealed.

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

14 **Article – Public Utilities**

15 1–101.

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

17 [(1–1) (1) “Energy salesperson” means an individual who is licensed by the
18 Commission to sell:

19 (i) electricity or electricity supply services to residential retail
20 electric customers on behalf of an electricity supplier as an employee or agent of the
21 electricity supplier; or

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

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

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

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

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

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

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

4 7–310.

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

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

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

9 (1) educate customers on:

10 (i) retail electric and gas choice; and

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

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

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

18 (d) The Commission shall administer the Fund.

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

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

23 (f) The Fund consists of:

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

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

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

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

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

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

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

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

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

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

14 7-311.

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

18 (b) The Commission shall develop the program in consultation with interested
19 stakeholders, including electricity suppliers[,]
20 AND gas suppliers[, energy salespersons,
and energy vendors].

21 (c) The program shall require that a designated representative of each licensed
22 electricity supplier[,]
23 OR licensed gas supplier[, licensed energy vendor, or licensed energy
24 salesperson] demonstrate a thorough understanding of the Commission's regulations
regarding:

25 (1) sales;

26 (2) consumer protection; and

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

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

29 (1) conduct an examination; and

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

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

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

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

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

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

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

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

21 7–507.

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

28 (b) **[(1)]** An application for an electricity supplier license shall:

29 **[(i)] (1)** be made to the Commission in writing on a form adopted
30 by the Commission;

31 **[(ii)] (2)** be verified by oath or affirmation; and

32 **[(iii)] (3)** contain information that the Commission requires,
33 including:

1 [1.] (I) proof of technical and managerial competence;

2 [2.] (II) proof of compliance with all applicable
3 requirements of the Federal Energy Regulatory Commission, and any independent system
4 operator or regional or system transmission operator to be used by the licensee;

5 [3.] (III) a certification of compliance with applicable federal
6 and State environmental laws and regulations that relate to the generation of electricity;
7 and

8 [4.] (IV) payment of the applicable licensing fee.

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

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

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

15 (iv) A licensee may renew a license for a 3-year term before the
16 license expires if the licensee:

17 1. otherwise is entitled to be licensed;

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

20 3. pays to the Commission the applicable renewal fee set by
21 the Commission.]

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

23 (1) require proof of financial integrity;

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

27 (3) require a licensee to:

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

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

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

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

5 (ii) the different categories of electricity suppliers.

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

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

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

11 (2) require each electricity supplier[, each energy salesperson, and each
12 energy vendor] to provide, in addition to the requirements under § 7–505(b)(5) of this
13 subtitle, adequate and accurate customer information to enable customers to make
14 informed choices regarding the purchase of any electricity services offered by the electricity
15 supplier;

16 (3) establish reasonable restrictions on telemarketing;

17 (4) establish procedures for contracting with customers;

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

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

22 (7) establish procedures for dispute resolution.

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

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

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

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

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

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

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

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

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

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

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

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

20 (k) (1) [Subject to subsection (r) of this section, for] **FOR** just cause on the
21 Commission's own investigation or on complaint of the Office of People's Counsel, the
22 Attorney General, or an affected party, the Commission may:

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

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

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

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

29 (2) A civil penalty may be imposed in addition to the Commission's decision
30 to [deny,] revoke[,] **OR** suspend[, or refuse to renew] a license or impose a moratorium.

31 (3) Just cause includes:

- 1 (i) intentionally providing false information to the Commission;
- 2 (ii) switching, or causing to be switched, the electricity supply for a
3 customer without first obtaining the customer's permission;
- 4 (iii) failing to provide electricity for its customers;
- 5 (iv) committing fraud or engaging in deceptive practices;
- 6 (v) failing to maintain financial integrity;
- 7 (vi) violating a Commission regulation or order;
- 8 (vii) failing to pay, collect, remit, or calculate accurately applicable
9 State or local taxes;
- 10 (viii) violating a provision of this article or any other applicable
11 consumer protection law of the State;
- 12 (ix) conviction of a felony by the licensee or principal of the licensee
13 or any crime involving fraud, theft, or deceit;
- 14 (x) [denial,] suspension[, or revocation of [or refusal to renew] a
15 license by any State or federal authority; and
- 16 (xi) commission of any of the acts described in items (i) through (x) of
17 this paragraph by a person that is an affiliate of the licensee or that is under common
18 control with the licensee.
- 19 (l) (1) An electricity supplier[, an energy vendor,] or any other person[, except
20 for an energy salesperson,] selling or offering to sell electricity in the State in violation of
21 this section [or § 7–318 of this title], after notice and an opportunity for a hearing, is subject
22 to:
- 23 (i) a civil penalty of not more than [\$25,000] **\$10,000** for the
24 violation; **OR**
- 25 (ii) license [denial,] revocation[, or suspension [or refusal to renew
26 the license; or
- 27 (iii) both].
- 28 (2) [An energy salesperson selling or offering to sell electricity in the State
29 in violation of this section or § 7–317 of this title, after notice and an opportunity for a
30 hearing, is subject to license denial, revocation, or suspension or refusal to renew the
31 license.

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

2 [(4) (3) Each INSTANCE OF A customer [to whom electricity is] BEING
3 sold or offered ELECTRICITY in violation of this section is a separate violation.

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

6 (i) the number of previous violations of any provision of this division
7 by the electricity supplier[, energy vendor,] or other person;

8 (ii) the gravity of the current violation;

9 (iii) the good faith of the electricity supplier[, energy vendor,] or
10 other person charged in attempting to achieve compliance after notification of the violation;
11 and

12 (iv) any other matter that the Commission considers appropriate and
13 relevant.

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

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

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

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

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

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

1 7-510.

2 [(d) (1) This subsection applies to residential electricity supply other than
3 supply offered through:

4 (i) standard offer service;

5 (ii) the Department of General Services' sale of energy under §
6 7-704.4 of this title; or

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

8 (2) A residential electricity supplier:

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

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

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

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

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

23 (vi) may not pay a commission or other incentive-based
24 compensation to an energy salesperson for enrolling customers.

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

27 (4) A residential electricity supplier may not sell to an electric company,
28 and an electric company may not purchase from the electricity supplier, accounts
29 receivable.]

30 [(e) (D) (1) This subsection does not apply to:

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

1 (ii) a community choice aggregator under § 7–510.3 of this subtitle.

2 (2) An electric company and a residential electricity supplier shall
3 establish a mechanism for a customer whose account number or customer choice
4 identification number has been compromised to receive a replacement account number or
5 customer choice identification number on request, subject to verification in a manner
6 approved by the Commission.

7 **[(f)] (E)** (1) This subsection does not apply to:

8 (i) the Department of General Services' sale of energy under §
9 7–704.4 of this title; or

10 (ii) a community choice aggregator under § 7–510.3 of this subtitle.

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

17 (3) A residential electricity supplier may contact a customer on a "do not
18 transfer" list until the electricity supply agreement entered into between the electricity
19 supplier and the customer expires.

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

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

26 (i) the total kilowatt–hours distributed to customers purchasing
27 electricity from a third–party electricity supplier;

28 (ii) the total supply cost charged to customers purchasing electricity
29 from a third–party electricity supplier;

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

32 (iv) the net third–party total cost compared to the net standard offer
33 service cost;

- 1 (v) the total third-party average rate;
- 2 (vi) the standard offer service average rate;
- 3 (vii) the difference between the total third-party average rate and the
4 standard offer service average rate;
- 5 (viii) the third-party average residential rates broken out by supplier
6 and the variance between each of these rates and the standard offer service average rate;
- 7 (ix) the third-party average general service nondemand rates broken
8 out by supplier and the variance between each of these third-party rates and the standard
9 offer service average rate;
- 10 (x) the third-party average general service demand rates broken out
11 by supplier and the variance between each of these third-party rates and the standard offer
12 service average rate;
- 13 (xi) the third-party average large power demand rates broken out by
14 supplier and the variance between each of these third-party rates and the standard offer
15 service average rate; and
- 16 (xii) other pertinent information the Commission considers
17 appropriate.

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

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

23 7-602.

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

- 25 (1) clarify existing law regarding the provision of competitive retail gas
26 supply and gas supply services in the State;
- 27 (2) require the Commission to license gas suppliers[, energy salespersons,
28 and energy vendors];
- 29 (3) authorize the Commission to adopt complaint procedures;
- 30 (4) establish certain requirements relating to the competitiveness of retail
31 gas supply and gas supply services markets; and

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

2 7-603.

3 (a) The Commission shall license gas suppliers[, energy salespersons, and energy
4 vendors] and shall have the same authority as the Commission has under [§§ 7-317,
5 7-318, and 7-507] § 7-507 of this title for electricity suppliers, [energy salespersons, and
6 energy vendors,] including the authority to:

7 (1) [deny,] revoke[,] OR suspend[, or refuse to renew] a license;

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

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

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

15 7-603.1.

16 (a) (1) [Subject to subsection (b)(5) of this section, for] **FOR** just cause on the
17 Commission's own investigation or on complaint of the Office of People's Counsel, the
18 Attorney General, or an affected party, the Commission may:

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

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

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

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

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

27 (3) Just cause includes:

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

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

- 1 (iii) failing to provide gas for its customers;
- 2 (iv) committing fraud or engaging in deceptive practices;
- 3 (v) failing to maintain financial integrity;
- 4 (vi) violating a Commission regulation or order;
- 5 (vii) failing to pay, collect, remit, or calculate accurately applicable
6 State or local taxes;
- 7 (viii) violating a provision of this article or any other applicable
8 consumer protection law of the State;
- 9 (ix) conviction of a felony by the licensee or principal of the licensee
10 or any crime involving fraud, theft, or deceit;
- 11 (x) [denial,] suspension[,] or revocation of [or refusal to renew] a
12 license by any State or federal authority; and
- 13 (xi) commission of any of the acts described in items (i) through (x) of
14 this paragraph by a person that is an affiliate of the licensee or that is under common
15 control with the licensee.
- 16 (b) (1) [(i)] A gas supplier[, an energy vendor,] or any other person[, except
17 for an energy salesperson,] selling or offering to sell gas in the State in violation of this
18 section or § 7-603 of this subtitle, after notice and an opportunity for a hearing, is subject
19 to:
- 20 [1.] (I) a civil penalty of not more than [\$25,000] \$10,000
21 for the violation; OR
- 22 [2.] (II) license [denial,] revocation[,] or suspension [or
23 refusal to renew the license; or
- 24 3. both].
- 25 [(ii)] An energy salesperson selling or offering to sell gas in the State
26 in violation of this section or § 7-603 of this subtitle, after notice and an opportunity for a
27 hearing, is subject to license denial, revocation, or suspension or refusal to renew the
28 license.]
- 29 (2) Each day [or part of a day] a violation continues is a separate violation.

1 (3) Each **INSTANCE OF A** customer [to whom gas is] **BEING** sold or offered
2 **GAS** in violation of this section is a separate violation.

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

5 (i) the number of previous violations of any provision of this division
6 by the gas supplier[, energy vendor,] or other person;

7 (ii) the gravity of the current violation;

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

10 (iv) any other matter that the Commission considers appropriate and
11 relevant.

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

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

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

22 7-604.

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

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

27 (2) provide for contracting, enrollment, and billing practices and
28 procedures; and

29 (3) the Commission considers necessary to protect the consumer.

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

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

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

6 7-604.2.

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

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

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

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

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

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

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

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

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

29 (c)] A gas company and a gas supplier that supplies gas to residential retail gas
30 customers shall establish a mechanism for a customer whose account number or customer
31 choice identification number has been compromised to receive a replacement account
32 number or customer choice identification number on request, subject to verification in a
33 manner approved by the Commission.

1 **[(d)] (C)** (1) Except as provided in paragraph (2) of this subsection, as
2 approved by the Commission by regulation or order, each gas company and each gas
3 supplier that supplies gas to residential retail gas customers shall allow a customer to
4 indicate the customer's intention to remain on default gas commodity service indefinitely
5 and not to receive directed marketing contacts from gas suppliers through the
6 implementation of a "do not transfer" list onto which the customer may request to be placed.

7 (2) A gas supplier that supplies gas to residential retail gas customers may
8 contact a customer on a "do not transfer" list until the gas supply agreement entered into
9 between the gas supplier and the customer expires.

10 **[(e)] (D)** (1) In this subsection, "billing entity" means a gas company, a
11 licensed gas supplier, or any other entity that is responsible for issuing a gas bill to a
12 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 therms distributed to customers purchasing gas from a
17 third-party gas supplier;

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

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

22 (iv) the net third-party total cost compared to the net default gas
23 commodity service cost;

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

25 (vi) the default gas commodity service average rate;

26 (vii) the difference between the total third-party average rate and the
27 default gas commodity 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 default gas commodity service average
30 rate;

31 (ix) the third-party average general service nondemand rates broken
32 out by supplier and the variance between each of these third-party rates and the default
33 gas commodity 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 default gas
3 commodity 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 default gas
6 commodity service average rate; and

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

9 **[(f)] (E)** The Commission shall, by regulation or order, adopt procedures to carry
10 out this section.

11 7-605.

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

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

17 (2) exempt gas companies[,] **AND** gas suppliers[, energy salespersons, and
18 energy vendors] from otherwise applicable State or federal consumer protection and
19 antitrust laws.

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

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

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

30 7-705.

31 (a) **[(1)]** Except as provided in paragraph (2) of this subsection, each **EACH**
32 electricity supplier shall submit a report to the Commission each year in a form and by a
33 date specified by the Commission that:

1 [(i)] (1) [1.] (I) demonstrates that the electricity supplier
 2 has complied with the applicable renewable energy portfolio standard under § 7–703 of this
 3 subtitle and includes the submission of the required amount of renewable energy credits;
 4 or

5 [2.] (II) demonstrates the amount of electricity sales by
 6 which the electricity supplier failed to meet the applicable renewable energy portfolio
 7 standard; **AND**

8 [(ii)] (2) documents the level of participation of minority business
 9 enterprises and minorities in the activities that support the creation of renewable energy
 10 credits used to satisfy the standard under § 7–703 of this subtitle, including development,
 11 installation, and operation of generating facilities that create credits[;

12 (iii) documents the amounts and types of generation associated with
 13 renewable energy credits purchased in compliance with § 7–707(c) of this subtitle during
 14 the reporting period; and

15 (iv) documents the amount of renewable energy certificates that do
 16 not qualify as renewable energy credits as defined in § 7–701 of this subtitle, including, for
 17 each certificate:

18 1. the energy source associated with the certificate, including
 19 its location, when it was constructed, and which electric distribution system received the
 20 energy;

21 2. whether the purchase of the certificate was bundled with
 22 a power purchase agreement from the energy source associated with the certificate;

23 3. whether the certificate was purchased directly from the
 24 operator of the energy source or through a third party; and

25 4. any other information required by the Commission.

26 (2) Paragraph (1)(iii) and (iv) of this subsection does not apply to:

27 (i) the Department of General Services' sale of energy under §
 28 7–704.4 of this subtitle; or

29 (ii) a community choice aggregator under § 7–510.3 of this title].

30 13–201.

31 (e) (3) A civil penalty assessed for a violation of [§ 7–317, § 7–318,] §
 32 7–505(b)(7), § 7–507, § 7–603, § 7–603.1, § 7–604, **OR** § 7–606[, or § 7–707] of this article,

1 or a rule, an order, or a regulation adopted under any of those sections, shall be paid into
2 the Education and Protection Fund under § 7–310 of this article.

3 **Chapter 537 of the Acts of 2024**

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

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

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

14 SECTION 3. AND BE IT FURTHER ENACTED, That Section 4 of Chapter 537 of
15 the Acts of the General Assembly of 2024 be repealed.

16 SECTION 4. AND BE IT FURTHER ENACTED, That the division within the Public
17 Service Commission established in accordance with Section 2 of Chapter 537 of the Acts of
18 the General Assembly of 2024 shall be abolished. Any Position Identification Numbers
19 (PINs) created in accordance with Section 2 of Chapter 537 of the Acts of the General
20 Assembly of 2024 shall remain with the Commission and any employee hired or assigned
21 to that division shall be reassigned to an equivalent position elsewhere within the
22 Commission. No employee affected by a reassignment in accordance with this section shall
23 suffer any diminution in pay or benefits resulting from the reassignment.

24 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall be construed to
25 apply only prospectively and may not be applied or interpreted to have any effect on or
26 application to any electricity supply agreement or gas supply agreement that is in effect on
27 or before the effective date of this Act.

28 SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2026.