

HB0220/223026/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 220
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Charkoudian**” and substitute “**Delegates Charkoudian and Guyton**”; in line 2, strike “**Unit Meters**” and substitute “**Submeters**”; in line 3, strike “unit”; in lines 3 and 12, in each instance, strike “meters” and substitute “submeters”; in line 4, strike “dwelling units” and substitute “mobile home parks”; in lines 5 and 9, in each instance, after “house” insert “or a mobile home park”; strike beginning with “requiring” in line 6 down through “unit” in line 8 and substitute “authorizing the owner, operator, or manager of an apartment house or a mobile home park to bill an occupant a certain amount under certain circumstances; prohibiting the owner, operator, or manager of an apartment house or a mobile home park from billing an occupant under certain circumstances”; in line 12, after the semicolon insert “requiring certain landlords to use a certain written lease, provide a copy of a water or sewer bill to a tenant within a certain time frame, and notify prospective tenants of certain information within a certain time frame; prohibiting certain landlords from requiring a tenant to make certain payments to a third party;”; in the same line, strike “unit”; and after line 17, insert:

“BY adding to

Article - Real Property

Section 8-205.3

Annotated Code of Maryland

(2023 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 2, in lines 4 and 28, in each instance, after “HOUSE” insert “**OR A MOBILE HOME PARK**”; and in line 26, strike “UNIT METER” and substitute “**SUBMETER**”.

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On page 3, in line 2, strike “OR”; in line 3, after “COMMISSION” insert “;OR”

(IV) A MOBILE HOME PARK;

in line 5, after “DEVELOPMENT” insert “AND THE BOARD OF PUBLIC WORKS OR EQUIVALENT LOCAL AUTHORITY”; in lines 7 and 16, in each instance, strike “UNIT METERS” and substitute “SUBMETERS”; in lines 9, 15, 24, and 30, in each instance, after “HOUSE” insert “OR A MOBILE HOME PARK”; in line 11, strike “UNIT METER” and substitute “SUBMETER”; in the same line, strike “INDIVIDUALLY” and substitute “DIRECTLY”; in line 27, strike the second “OR”; and in line 28, after “USAGE” insert “;OR”

(III) USAGE IN ANY PART OF A BUILDING THAT IS NOT USED AS A RESIDENTIAL UNIT.

On page 4, in line 1, strike “UNIT METER” and substitute “SUBMETER”; in line 4, strike “UNIT METERS” and substitute “SUBMETERS”; strike beginning with “EACH” in line 8 down through “MONITOR” in line 13 and substitute “(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(II) “ACTUAL USAGE” MEANS USAGE THAT WAS MEASURED WHEN A METER WAS CONSIDERED ACCURATE.

(III) “ESTIMATED USAGE” MEANS THE AVERAGE USAGE BY DWELLING UNITS IN THE SAME APARTMENT HOUSE THAT:

- 1. ARE OF COMPARABLE SIZE; AND**
- 2. HAVE A COMPARABLE NUMBER OF OCCUPANTS.**

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IF AN INDIVIDUAL SUBMETER DOES NOT PROVIDE ADEQUATE OR ACCURATE DATA FOR BILLING PURPOSES, THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE MAY BILL THE OCCUPANT OF THE UNIT:

(I) THE AVERAGE COST OF THE MOST RECENT 3 MONTHS OF ACTUAL USAGE BY THE OCCUPANT OF THE UNIT; OR

(II) IF RECORDS OF THE MOST RECENT 3 MONTHS OF ACTUAL USAGE BY THE OCCUPANT OF THE UNIT ARE NOT AVAILABLE, THE AVERAGE COST OF THE MOST RECENT 3 MONTHS OF ESTIMATED USAGE.

(3) IF AN INDIVIDUAL SUBMETER HAS NOT BEEN REPAIRED OR REPLACED FOR TWO CONSECUTIVE BILLING CYCLES, THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE MAY NOT BILL THE OCCUPANT OF THAT UNIT UNTIL THE INDIVIDUAL SUBMETER IS REPAIRED OR REPLACED;

in lines 14 and 25, in each instance, after “HOUSE” insert “OR MOBILE HOME PARK”; in line 23, after “HOUSE” insert “OR A MOBILE HOME PARK”; in lines 16 and 17, strike “UNIT METERS” and substitute “SUBMETERS”; in line 17, strike “AND”; and in line 18, after “(2)” insert “OBTAIN ANY ADDITIONAL RECORDS NEEDED BY AN OCCUPANT OF A UNIT TO VERIFY A WATER BILL; AND”

(3).

On page 5, in line 2, strike “OR”; and in line 5, strike the period and substitute “;
OR”

(IV) A PRIVATE CAUSE OF ACTION.

(Over)

(3) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED AS PREVENTING ANY STATE AGENCY FROM EXERCISING ITS AUTHORITY REGARDING THE COLLECTION OF OBLIGATIONS ARISING FROM CONSUMER TRANSACTIONS.

Article – Real Property

8-205.3.

(A) IN THIS SECTION, “INDIVIDUAL SUBMETER” HAS THE MEANING STATED IN § 9-1115 OF THE ENVIRONMENT ARTICLE.

(B) A LANDLORD THAT REQUIRES A TENANT TO MAKE PAYMENTS FOR WATER OR SEWER SERVICES MEASURED BY AN INDIVIDUAL SUBMETER TO A THIRD PARTY SHALL:

(1) USE A WRITTEN LEASE THAT PROVIDES NOTICE THAT THE TENANT IS RESPONSIBLE FOR MAKING PAYMENTS FOR THE WATER OR SEWER SERVICES TO THE THIRD PARTY;

(2) PROVIDE A COPY OF THE WATER OR SEWER BILL TO THE TENANT NOT LATER THAN 20 DAYS BEFORE PAYMENT OF THE BILL IS DUE; AND

(3) BEFORE THE BEGINNING OF THE INITIAL LEASE, NOTIFY THE PROSPECTIVE TENANT IN WRITING OF:

(I) THE TOTAL WATER AND SEWER COSTS BILLED TO THE OCCUPANTS OF THE UNIT IN THE IMMEDIATELY PRECEDING 2 YEARS; OR

(II) IF WATER AND SEWER COSTS WERE NOT BILLED TO AN OCCUPANT OF THE UNIT FOR THE IMMEDIATELY PRECEDING 2 YEARS, THE

TOTAL WATER AND SEWER COSTS BILLED TO A COMPARABLY SIZED UNIT WITHIN THAT TIME PERIOD.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A LANDLORD THAT DOES NOT MEET THE REQUIREMENTS OF § 9-1115 OF THE ENVIRONMENT ARTICLE MAY NOT REQUIRE A TENANT TO MAKE PAYMENTS TO A THIRD PARTY FOR WATER OR SEWER SERVICES.’.