

SENATE BILL 918

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By: **Senator Brooks**

Introduced and read first time: February 2, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Retail Choice Customer Education and Protection Fund – Purposes and Uses**

3 FOR the purpose of changing the name of the Retail Choice Customer Education and
4 Protection Fund to the Education and Protection Fund; modifying the purpose and
5 uses of the Fund to include educating certain customers on certain energy choices
6 and developing a certain training and educational program for persons licensed by
7 the Public Service Commission as electricity suppliers or gas suppliers; and generally
8 relating to the purposes and uses of the Retail Choice Customer Education and
9 Protection Fund.

10 BY repealing and reenacting, with amendments,
11 Article – Public Utilities
12 Section 7–310, 7–311, and 13–201(e)(3)
13 Annotated Code of Maryland
14 (2020 Replacement Volume and 2023 Supplement)

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

17 **Article – Public Utilities**

18 7–310.

19 (a) In this section, “Fund” means the [Retail Choice Customer] Education and
20 Protection Fund.

21 (b) There is [a Retail Choice Customer] AN Education and Protection Fund.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) educate customers on:

(I) retail electric and gas choice; and

(II) **ENERGY CHOICES THAT HELP MEET THE STATE'S CLIMATE GOALS;**

(2) protect customers from unfair, false, misleading, or deceptive practices by electricity **SUPPLIERS** or gas suppliers; **AND**

(3) DEVELOP A TRAINING AND EDUCATIONAL PROGRAM FOR ELECTRICITY SUPPLIERS AND GAS SUPPLIERS AS PROVIDED UNDER § 7-311 OF THIS SUBTITLE.

(d) The Commission shall administer the Fund.

(e) (1) The Fund is a special, [nonlapsing] **NONLAPSING** fund that is not subject to § 7-302 of the State Finance and Procurement Article.

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

(f) The Fund consists of:

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

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

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

(g) The Fund may be used only to:

(1) educate retail electric or gas customers on retail choice **AND ENERGY CHOICES THAT HELP TO MEET THE STATE'S CLIMATE COMMITMENTS UNDER §§ 7-211 AND 7-211.2 OF THIS TITLE AND §§ 2-1204.1 AND 2-1204.2 OF THE ENVIRONMENT ARTICLE; [and]**

(2) improve customer protections for retail electric or gas customers; **AND**

(3) DEVELOP A TRAINING AND EDUCATIONAL PROGRAM FOR ELECTRICITY SUPPLIERS AND GAS SUPPLIERS AS PROVIDED UNDER § 7-311 OF THIS SUBTITLE.

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

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

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

7 7-311.

8 (a) The Commission shall develop a training and educational program for any
9 entity or individual that is licensed by the Commission as an electricity supplier or a gas
10 supplier.

11 (b) The Commission shall develop the program in consultation with interested
12 stakeholders, including electricity suppliers and gas suppliers.

13 (c) The program shall require that a designated representative of each licensed
14 electricity supplier or licensed gas supplier demonstrate a thorough understanding of the
15 Commission's regulations regarding:

16 (1) sales;

17 (2) consumer protection; and

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

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

20 (1) conduct an examination; and

21 (2) on a satisfactory score, certify that the designated representative of the
22 licensed electricity supplier or licensed gas supplier has successfully completed the
23 training.

24 (e) (1) The Commission shall determine the schedule and frequency by which
25 a designated representative of a licensed electricity supplier or licensed gas supplier must
26 complete the training and certification.

27 (2) A designated representative of a new electricity supplier or gas supplier
28 shall complete the training and certification prior to the issuance of a license.

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

(g) (1) The Commission shall use [the assessments collected in accordance with § 2–110 of this article] **THE FOLLOWING FUNDING SOURCES** for the initial development of the training and educational program:

(I) THE ASSESSMENTS COLLECTED IN ACCORDANCE WITH § 2–110 OF THIS ARTICLE; OR

(II) FUNDS DEPOSITED INTO THE EDUCATION AND PROTECTION FUND IN ACCORDANCE WITH § 7–310 OF THIS SUBTITLE.

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

13–201.

(e) (3) A civil penalty assessed for a violation of § 7–505(b)(7), § 7–507, § 7–603, § 7–604, or § 7–606 of this article, or a rule, an order, or a regulation adopted under any of those sections, shall be paid into the [Retail Choice Customer] Education and Protection Fund under § 7–310 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.