

HOUSE BILL 1214

C5, M5, I3

3lr1456

By: **Delegate Stein**

Introduced and read first time: February 10, 2023

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2023

CHAPTER _____

1 AN ACT concerning

2 **Residential Retail Electricity – Green Power – Renewable Energy Credits and**
3 **Marketing Claims**

4 FOR the purpose of requiring an electricity supplier that offers green power for sale to
5 residential customers to purchase certain renewable energy credits in excess of the
6 renewable energy portfolio standard in a certain year in an amount equal to the
7 amount of electricity sold to residential customers as green power in that year;
8 requiring certain electricity suppliers marketing and selling green power to
9 residential customers to include a certain disclosure in certain marketing materials;
10 altering the contents of a certain annual report that each electricity supplier is
11 required to submit to the Public Service Commission; and generally relating to the
12 sale of green power and renewable energy credits.

13 BY repealing and reenacting, with amendments,
14 Article – Public Utilities
15 Section 7–705(a)
16 Annotated Code of Maryland
17 (2020 Replacement Volume and 2022 Supplement)

18 BY adding to
19 Article – Public Utilities
20 Section 7–707
21 Annotated Code of Maryland
22 (2020 Replacement Volume and 2022 Supplement)

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.



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

3 **Article – Public Utilities**

4 7–705.

5 (a) Each electricity supplier shall submit a report to the Commission each year in
6 a form and by a date specified by the Commission that:

7 (1) (i) demonstrates that the electricity supplier has complied with the
8 applicable renewable energy portfolio standard under § 7–703 of this subtitle and includes
9 the submission of the required amount of renewable energy credits; or

10 (ii) demonstrates the amount of electricity sales by which the
11 electricity supplier failed to meet the applicable renewable energy portfolio standard; [and]

12 (2) documents the level of participation of minority business enterprises
13 and minorities in the activities that support the creation of renewable energy credits used
14 to satisfy the standard under § 7–703 of this subtitle, including development, installation,
15 and operation of generating facilities that create credits; AND

16 (3) DOCUMENTS THE AMOUNTS AND TYPES OF GENERATION
17 ASSOCIATED WITH RENEWABLE ENERGY CREDITS PURCHASED IN COMPLIANCE
18 WITH § 7–707(B) OF THIS SUBTITLE DURING THE REPORTING PERIOD.

19 7–707.

20 (A) IN THIS SECTION, “GREEN POWER” MEANS ENERGY SOURCES OR
21 RENEWABLE ENERGY CREDITS THAT ARE MARKETED AS GREEN, ECO-FRIENDLY,
22 ENVIRONMENTALLY FRIENDLY OR RESPONSIBLE, CARBON-FREE, RENEWABLE,
23 100% RENEWABLE, 100% WIND, 100% HYDRO, 100% SOLAR, 100% EMISSION-FREE,
24 OR SIMILAR CLAIMS.

25 (B) ON AND AFTER JANUARY 1, 2024, AN ELECTRICITY SUPPLIER SHALL
26 PURCHASE RENEWABLE ENERGY CREDITS ~~IN ACCORDANCE WITH SUBSECTION (C)~~
27 ~~OF THIS SECTION~~ FOR EACH YEAR THE ELECTRICITY SUPPLIER OFFERS GREEN
28 POWER FOR SALE TO RESIDENTIAL CUSTOMERS.

29 ~~(C) THE CREDITS THAT AN ELECTRICITY SUPPLIER PURCHASES UNDER~~
30 ~~SUBSECTION (B) OF THIS SECTION SHALL BE:~~

31 ~~(1) GENERATED FROM ONE OR MORE TIER 1 RENEWABLE SOURCES~~
32 ~~UNDER § 7-701(S)(1), (2), (5), (6), OR (8) OF THIS SUBTITLE; AND~~

1 ~~(2)~~ LOCATED:

2 ~~(I)~~ IN THE PJM REGION; OR

3 ~~(H)~~ OUTSIDE THE PJM REGION IF THE ELECTRICITY IS
4 DELIVERED INTO THE PJM REGION.

5 ~~(D)~~ (C) AN ELECTRICITY SUPPLIER THAT CLAIMS IN THE ELECTRICITY
6 SUPPLIER’S MARKETING OF ELECTRICITY TO RESIDENTIAL CUSTOMERS THAT THE
7 CUSTOMER WILL BE PURCHASING GREEN POWER SHALL INCLUDE THE FOLLOWING
8 DISCLOSURE:

9 “IF YOU PURCHASE THIS ENERGY PLAN, YOU ARE AGREEING TO PURCHASE
10 LOCAL UTILITY DISTRIBUTION GRID ELECTRICITY THAT IS PAIRED WITH
11 RENEWABLE ENERGY CREDITS (“RECS”) IN AN AMOUNT SUFFICIENT TO MATCH THE
12 PERCENT OF “GREEN POWER” ELECTRICITY IN YOUR CONTRACT ~~FROM ONE OR
13 MORE OF THE FOLLOWING SOURCES: SOLAR, WIND, GEOTHERMAL, OCEAN, AND
14 HYDROELECTRIC POWER FROM PLANTS WITH A CAPACITY OF LESS THAN 30MW.”.~~

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.