

# SENATE BILL 513

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By: **Senator Lam**

Introduced and read first time: February 3, 2023

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Collection and Reporting of Drinking Water and Wastewater**  
3 **Data and Information – Requirements**

4 FOR the purpose of requiring a water utility operating in the State to provide certain data  
5 and information to the Department of the Environment and comply with certain  
6 reporting requirements; requiring a certain local government to provide certain data  
7 and information to a certain water utility; requiring the Department to develop a  
8 certain protocol and form to provide and report certain drinking water and  
9 wastewater data and information; requiring the Department to create, operate, and  
10 maintain a statewide Open Water Data Reporting Platform that includes certain  
11 data and information for each water utility operating in the State; requiring the  
12 Department, on or before a certain date, to provide on its website a webpage for the  
13 public to comment on the Platform; requiring the Department to collect and  
14 consolidate certain water data and information reported by water utilities operating  
15 in the State and make the data and information available on the Platform beginning  
16 on or before a certain date; requiring the Department, on or before a certain date and  
17 with a certain frequency, to perform a certain review of the Platform; and generally  
18 relating to the collection and reporting of water data.

19 BY repealing and reenacting, without amendments,  
20 Article – Environment  
21 Section 9–101(a) and (i) and 9–401(a), (c), (h), (i), (l), (m), and (o)  
22 Annotated Code of Maryland  
23 (2014 Replacement Volume and 2022 Supplement)

24 BY adding to  
25 Article – Environment  
26 Section 9–1201 through 9–1207 to be under the new subtitle “Subtitle 12. Reporting  
27 of Drinking Water and Wastewater Data and Information”  
28 Annotated Code of Maryland  
29 (2014 Replacement Volume and 2022 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Environment**

4 9–101.

5 (a) In this title the following words have the meanings indicated.

6 (i) “Publicly owned treatment works” means a facility that is:

7 (1) Owned by this State or a political subdivision, municipal corporation,  
8 or other public entity; and

9 (2) Used for the treatment of pollutants.

10 9–401.

11 (a) In this subtitle the following words have the meanings indicated.

12 (c) “Community water system” means a public water system that:

13 (1) Serves at least 15 service connections used by year–round residents of  
14 the area served by the system; or

15 (2) Regularly serves at least 25 year–round residents.

16 (h) “Noncommunity water system” means a public water system that is not a  
17 community water system.

18 (i) “Nontransient noncommunity water system” means a public water system  
19 that is not a community system and that regularly serves at least 25 of the same individuals  
20 over 6 months per year.

21 (l) (1) “Public water system” means a system that:

22 (i) Provides to the public water for human consumption through  
23 pipes or other constructed conveyances; and

24 (ii) 1. Has at least 15 service connections; or

25 2. Regularly serves at least 25 individuals.

26 (2) “Public water system” includes:

1 (i) Any collection, treatment, storage, or distribution facility that is  
2 under the control of the operator of the system and is used primarily in connection with the  
3 system; and

4 (ii) Any collection or pretreatment storage facility that is not under  
5 the control of the operator of the system and is used primarily in connection with the  
6 system.

7 (m) "Supplier of water" means any person who owns or operates a public water  
8 system.

9 (o) "Transient noncommunity water system" means a noncommunity water  
10 system that does not regularly serve at least 25 of the same individuals over 6 months per  
11 year.

12 **SUBTITLE 12. REPORTING OF DRINKING WATER AND WASTEWATER DATA AND**  
13 **INFORMATION.**

14 **9-1201.**

15 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
16 INDICATED.

17 (B) "ACCOUNT TYPE" MEANS:

18 (1) A RESIDENTIAL DRINKING WATER OR WASTEWATER ACCOUNT;

19 (2) A COMMERCIAL DRINKING WATER OR WASTEWATER ACCOUNT; OR

20 (3) AN INDUSTRIAL DRINKING WATER OR WASTEWATER ACCOUNT.

21 (C) "HOUSEHOLD WITH A LOW INCOME" MEANS A HOUSEHOLD THAT:

22 (1) HAS AN ANNUAL ADJUSTED GROSS INCOME AT OR BELOW 200%  
23 OF THE FEDERAL POVERTY LEVEL; OR

24 (2) IS LOCATED IN A CENSUS TRACT WITH AN AVERAGE MEDIAN  
25 INCOME AT OR BELOW 80% OF THE AVERAGE MEDIAN INCOME FOR THE STATE.

26 (D) "LARGE WATER UTILITY" MEANS A PUBLIC OR PRIVATE ENTITY THAT  
27 PROVIDES WATER OR WASTEWATER SERVICE TO AT LEAST 10,001 CUSTOMERS IN A  
28 SERVICE AREA.

29 (E) "PLATFORM" MEANS THE OPEN WATER DATA REPORTING PLATFORM.

1 (F) "SERVICE AREA" MEANS THE AREA WITHIN WHICH A WATER UTILITY  
2 PROVIDES WATER OR WASTEWATER SERVICE.

3 (G) "SERVICE TYPE" MEANS:

4 (1) DRINKING WATER SERVICE; OR

5 (2) WASTEWATER SERVICE.

6 (H) "SMALL WATER UTILITY" MEANS A PUBLIC OR PRIVATE ENTITY THAT  
7 PROVIDES WATER OR WASTEWATER SERVICE TO 10,000 OR FEWER CUSTOMERS IN A  
8 SERVICE AREA.

9 (I) (1) "WATER UTILITY" MEANS A PUBLIC OR PRIVATE ENTITY THAT  
10 PROVIDES WATER OR WASTEWATER SERVICE TO CUSTOMERS IN A SERVICE AREA.

11 (2) "WATER UTILITY" INCLUDES:

12 (I) A COMMUNITY WATER SYSTEM AS DEFINED IN § 9-401 OF  
13 THIS TITLE;

14 (II) A LARGE WATER UTILITY;

15 (III) A NONCOMMUNITY WATER SYSTEM AS DEFINED IN § 9-401  
16 OF THIS TITLE;

17 (IV) A NONTRANSIENT NONCOMMUNITY WATER SYSTEM AS  
18 DEFINED IN § 9-401 OF THIS TITLE;

19 (V) A PUBLIC WATER SYSTEM AS DEFINED IN § 9-401 OF THIS  
20 TITLE;

21 (VI) A PUBLICLY OWNED TREATMENT WORKS;

22 (VII) A SMALL WATER UTILITY;

23 (VIII) A SUPPLIER OF WATER AS DEFINED IN § 9-401 OF THIS  
24 TITLE;

25 (IX) A TRANSIENT NONCOMMUNITY WATER SYSTEM AS DEFINED  
26 IN § 9-401 OF THIS TITLE; AND

1                   **(X) A COMPANY THAT OWNS A WATER PLANT AND SELLS OR**  
2 **DISTRIBUTES WATER FOR GAIN.**

3 **9-1202.**

4           **(A) (1) A WATER UTILITY OPERATING IN THE STATE SHALL PROVIDE TO**  
5 **THE DEPARTMENT THE DATA AND INFORMATION REQUIRED UNDER THIS SUBTITLE.**

6                   **(2) ON REQUEST OF A WATER UTILITY, A LOCAL GOVERNMENT OF THE**  
7 **JURISDICTION WITHIN WHICH THE WATER UTILITY IS LOCATED SHALL PROVIDE TO**  
8 **THE WATER UTILITY THE DATA AND INFORMATION REQUIRED UNDER THIS**  
9 **SUBTITLE FOR WHICH THE LOCAL GOVERNMENT HAS ACCESS.**

10           **(B) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO PREVENT A STATE**  
11 **AGENCY OR LOCAL GOVERNMENT FROM DISSEMINATING, MANAGING, OR**  
12 **PUBLISHING DATA SEPARATELY FROM THE PLATFORM.**

13 **9-1203.**

14           **(A) (1) THE DEPARTMENT SHALL DEVELOP A PROTOCOL FOR PROVIDING**  
15 **AND REPORTING THE DATA AND INFORMATION REQUIRED UNDER THIS SUBTITLE.**

16                   **(2) (I) AS PART OF THE PROTOCOL, THE DEPARTMENT SHALL**  
17 **DEVELOP AND PUBLISH A FORM FOR A WATER UTILITY TO REPORT TO THE**  
18 **DEPARTMENT DATA AND INFORMATION RELATED TO THE PROVISION OF DRINKING**  
19 **WATER AND WASTEWATER SERVICES.**

20                   **(II) THE FORM DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS**  
21 **PARAGRAPH SHALL INCLUDE INSTRUCTIONS FOR COMPLYING WITH THE**  
22 **REPORTING REQUIREMENTS UNDER THIS SUBTITLE.**

23           **(B) ON OR BEFORE JANUARY 1, 2024, THE DEPARTMENT SHALL PUBLISH**  
24 **THE PROTOCOL REQUIRED UNDER THIS SECTION ON THE DEPARTMENT'S WEBSITE.**

25 **9-1204.**

26           **(A) (1) THE DEPARTMENT SHALL CREATE, OPERATE, AND MAINTAIN AN**  
27 **OPEN WATER DATA REPORTING PLATFORM TO:**

28                   **(I) MAKE AVAILABLE TO THE PUBLIC DATA RELATED TO THE**  
29 **PROVISION OF DRINKING WATER AND WASTEWATER SERVICES IN THE STATE;**

1                   **(II) IMPROVE THE EQUITABLE PROVISION OF DRINKING WATER**  
2 **AND WASTEWATER SERVICES IN THE STATE;**

3                   **(III) BRING TRANSPARENCY TO WATER ACCESS AND THE**  
4 **PROVISION OF DRINKING WATER AND WASTEWATER SERVICES IN THE STATE; AND**

5                   **(IV) ENABLE MORE INCLUSIVE PARTICIPATION OF RESIDENTS**  
6 **IN:**

7                   **1. THE PROVISION OF DRINKING WATER AND**  
8 **WASTEWATER SERVICES; AND**

9                   **2. THE PROTECTION OF WATER RESOURCES.**

10                   **(2) ON OR BEFORE JANUARY 1, 2024, THE DEPARTMENT SHALL**  
11 **RELEASE ANY REQUEST FOR PROPOSALS NECESSARY FOR THE DEVELOPMENT OF**  
12 **THE PLATFORM.**

13                   **(3) TO CREATE, OPERATE, OR MAINTAIN THE PLATFORM, THE**  
14 **DEPARTMENT MAY PARTNER WITH:**

15                   **(I) AN EXISTING NONPROFIT ORGANIZATION; OR**

16                   **(II) A STATE AGENCY.**

17                   **(B) ON OR BEFORE JULY 1, 2025, THE DEPARTMENT SHALL PROVIDE ON**  
18 **ITS WEBSITE A WEBPAGE FOR THE PUBLIC TO:**

19                   **(1) COMMENT ON THE DEVELOPMENT AND IMPLEMENTATION OF THE**  
20 **PLATFORM; AND**

21                   **(2) PROPOSE ADDITIONAL DATA FOR THE PLATFORM TO COLLECT.**

22                   **(C) SUBJECT TO SUBSECTIONS (D), (E), AND (G) OF THIS SECTION, THE**  
23 **PLATFORM SHALL INCLUDE THE FOLLOWING DATA AND INFORMATION FOR EACH**  
24 **WATER UTILITY OPERATING IN THE STATE:**

25                   **(1) NUMBER OF HOUSEHOLDS IN THE SERVICE AREA;**

26                   **(2) NUMBER OF HOUSEHOLDS WITH A LOW INCOME IN THE SERVICE**  
27 **AREA;**

28                   **(3) (I) NUMBER OF MUNICIPALITIES IN THE SERVICE AREA; AND**

1                   **(II) NAME OF EACH MUNICIPALITY IN THE SERVICE AREA;**

2                   **(4) NUMBER AND LOCATION OF HOUSEHOLDS SERVED BY LEAD**  
3 **SERVICE LINES IN THE SERVICE AREA;**

4                   **(5) NUMBER AND LOCATION OF REPLACED LEAD SERVICE LINES IN**  
5 **THE SERVICE AREA;**

6                   **(6) LOCAL TAX RATE FOR WATER UTILITIES;**

7                   **(7) GRANT FUNDING AND SOURCE OF GRANT FUNDING RECEIVED BY**  
8 **THE WATER UTILITY, INCLUDING:**

9                   **(I) EACH PROJECT FOR WHICH GRANT FUNDING IS USED; AND**

10                   **(II) PROGRESS MADE TOWARD COMPLETION, PROVIDED AS A**  
11 **PERCENTAGE, OF EACH PROJECT FOR WHICH GRANT FUNDING IS USED;**

12                   **(8) FINANCING, SOURCE OF FINANCING, AND INTEREST RATE OF**  
13 **FINANCING RECEIVED BY THE WATER UTILITY;**

14                   **(9) THE BUDGET OF THE WATER UTILITY, INCLUDING PROJECTED**  
15 **AND ACTUAL COSTS AND REVENUES;**

16                   **(10) FIXED AND VOLUMETRIC TOTAL COSTS FOR THE WATER UTILITY,**  
17 **DISAGGREGATED BY ACCOUNT TYPE AND SERVICE TYPE;**

18                   **(11) FIXED AND VOLUMETRIC TOTAL REVENUE FOR THE WATER**  
19 **UTILITY, DISAGGREGATED BY ACCOUNT TYPE AND SERVICE TYPE;**

20                   **(12) TYPE OF RATE STRUCTURE AND RATES FOR EACH ACCOUNT TYPE;**

21                   **(13) ANNUAL AND TOTAL WATER DEBT FOR EACH ACCOUNT TYPE;**

22                   **(14) NUMBER OF HOUSEHOLDS IN THE SERVICE AREA FOR WHICH**  
23 **SERVICE HAS BEEN TERMINATED:**

24                   **(I) ONCE IN THE PAST CALENDAR YEAR;**

25                   **(II) TWO OR THREE TIMES IN THE PAST CALENDAR YEAR;**

26                   **(III) FOUR OR FIVE TIMES IN THE PAST CALENDAR YEAR;**

1 (IV) SIX OR SEVEN TIMES IN THE PAST CALENDAR YEAR; OR

2 (V) EIGHT OR MORE TIMES IN THE PAST CALENDAR YEAR;

3 (15) PERCENTAGE OF WATER LOSS FROM THE SYSTEM;

4 (16) PERCENTAGE OF WATER LOSS ATTRIBUTED TO VACANT HOMES IN  
5 THE SERVICE AREA;

6 (17) STORMWATER DRAINAGE FEES;

7 (18) THE TERMS OF ANY RATE ASSISTANCE PROGRAMS OFFERED,  
8 INCLUDING:

9 (I) THE AMOUNT OF ASSISTANCE OFFERED;

10 (II) ELIGIBILITY CRITERIA; AND

11 (III) ANY OTHER CONDITIONS OF PARTICIPATION;

12 (19) THE TERMS OF ANY OTHER ASSISTANCE PROGRAMS OFFERED,  
13 INCLUDING LEAK ASSISTANCE PROGRAMS;

14 (20) THE NAME AND CONTACT INFORMATION FOR THE  
15 ADMINISTRATOR OF ANY ASSISTANCE PROGRAM OFFERED;

16 (21) SUBJECT TO SUBSECTION (E) OF THIS SECTION, A MAP AND A  
17 DETAILED DESCRIPTION OF SERVICE AREA BOUNDARIES OF THE WATER UTILITY;

18 (22) THE POLICIES RELATED TO HOW THE WATER UTILITY DECIDES  
19 WHETHER TO EXPAND THE SERVICE AREA BOUNDARIES OF THE WATER UTILITY;

20 (23) WATER RESOURCES FROM WHICH DRINKING WATER IS SOURCED,  
21 INCLUDING THE NUMBER OF WELLS AND AQUIFERS FEEDING THE WELLS;

22 (24) AMOUNT OF ENERGY USED TO PROVIDE DRINKING WATER OR  
23 WASTEWATER SERVICES;

24 (25) PERCENTAGE OF THE ENERGY USED TO PROVIDE DRINKING  
25 WATER OR WASTEWATER SERVICES THAT IS DERIVED FROM RENEWABLE ENERGY;



1           **(26) TOTAL NUMBER OF HOUSEHOLDS RECEIVING A BILL FROM THE**  
2 **WATER UTILITY;**

3           **(27) TOTAL NUMBER OF COMMERCIAL AND INDUSTRIAL ENTITIES**  
4 **RECEIVING A BILL FROM THE WATER UTILITY, DISAGGREGATED BY ACCOUNT TYPE;**

5           **(28) NUMBER OF RESIDENTS RECEIVING:**

6                   **(I) DRINKING WATER SERVICE; OR**

7                   **(II) WASTEWATER SERVICE;**

8           **(29) NUMBER OF RESIDENTS IN A MUNICIPALITY WHERE THE WATER**  
9 **UTILITY OPERATES WHO DO NOT RECEIVE SERVICES FROM THE WATER UTILITY;**

10           **(30) NUMBER OF PEOPLE WITHOUT HOUSEHOLD DRINKING WATER OR**  
11 **WASTEWATER SERVICE WITHIN A MUNICIPALITY SERVED BY THE WATER UTILITY;**

12           **(31) NUMBER OF RESIDENTIAL DRINKING WATER ACCOUNTS AND**  
13 **WASTEWATER ACCOUNTS FOR HOUSEHOLDS WITH A LOW INCOME;**

14           **(32) NUMBER OF DELINQUENT ACCOUNTS EACH MONTH, REPORTED**  
15 **BY ACCOUNT TYPE;**

16           **(33) NUMBER OF ACCOUNTS WITH ARREARAGES, REPORTED BY**  
17 **ACCOUNT TYPE;**

18           **(34) TOTAL AMOUNT OF FEES AND CHARGES ASSESSED BASED ON**  
19 **DELINQUENCIES, DISAGGREGATED BY ACCOUNT TYPE AND INCLUDING FEES AND**  
20 **CHARGES ASSESSED FOR LATE PAYMENT AND NONPAYMENT;**

21           **(35) TOTAL AMOUNT OF DEBT FOR ACCOUNTS, DISAGGREGATED BY:**

22                   **(I) TYPE OF DEBT; AND**

23                   **(II) ACCOUNT TYPE;**

24           **(36) NUMBER OF ACCOUNTS ELIGIBLE FOR TERMINATION OF SERVICE**  
25 **EACH MONTH, DISAGGREGATED BY ACCOUNT TYPE;**

26           **(37) NUMBER OF ACCOUNTS FOR WHICH DRINKING WATER OR**  
27 **WASTEWATER SERVICE WAS DISCONNECTED OR TERMINATED, DISAGGREGATED BY**  
28 **ACCOUNT TYPE;**

1           **(38) NUMBER OF ACCOUNTS RECONNECTED, DISAGGREGATED BY**  
2 **ACCOUNT TYPE;**

3           **(39) NUMBER OF RESIDENTIAL ACCOUNTS:**

4                   **(I) ELIGIBLE FOR RATE ASSISTANCE;**

5                   **(II) ENROLLED IN A RATE ASSISTANCE PROGRAM; AND**

6                   **(III) DENIED ENROLLMENT IN A RATE ASSISTANCE PROGRAM;**

7           **(40) TOTAL AMOUNT OF RATE ASSISTANCE DISTRIBUTED TO**  
8 **RESIDENTIAL ACCOUNTS;**

9           **(41) NUMBER OF UNPAID WATER BILLS SENT BY A WATER UTILITY TO**  
10 **A MUNICIPALITY FOR LIENS, DISAGGREGATED BY ACCOUNT TYPE;**

11           **(42) NUMBER OF LIENS ON FORECLOSED RESIDENCES IN THE SERVICE**  
12 **AREA;**

13           **(43) NUMBER OF UNPAID RESIDENTIAL DRINKING WATER AND**  
14 **WASTEWATER BILLS SENT TO DEBT COLLECTORS;**

15           **(44) VOLUME OF DRINKING WATER DELIVERED TO RESIDENTIAL,**  
16 **COMMERCIAL, AND INDUSTRIAL CUSTOMERS, DISAGGREGATED BY ACCOUNT TYPE;**

17           **(45) NUMBER OF VACANT HOMES IN THE SERVICE AREA THAT RECEIVE**  
18 **A BILL FROM THE WATER UTILITY;**

19           **(46) NUMBER OF DAYS BETWEEN A CUSTOMER'S NONPAYMENT AND**  
20 **THE CUSTOMER BEING SUBJECT TO TERMINATION OF SERVICE;**

21           **(47) AMOUNT IN ARREARS THAT MUST BE REACHED BEFORE THE**  
22 **WATER UTILITY TERMINATES SERVICE;**

23           **(48) NUMBER OF NOTICES FOR LATE PAYMENT AND NONPAYMENT**  
24 **THAT MUST BE PROVIDED BEFORE TERMINATION OF SERVICE;**

25           **(49) HOW THE WATER UTILITY NOTIFIES A CUSTOMER ABOUT**  
26 **TERMINATION OF SERVICE;**

1           **(50) FEES OR CHARGES THAT ARE ASSESSED FOR LATE PAYMENT OR**  
2 **NONPAYMENT;**

3           **(51) THE POLICY FOR ASSESSING FEES OR CHARGES FOR LATE**  
4 **PAYMENT OR NONPAYMENT, INCLUDING ANY:**

5                   **(I) ACTION OR INACTION THAT MAY RESULT IN A FEE OR**  
6 **CHARGE BEING ASSESSED FOR LATE PAYMENT OR NONPAYMENT; AND**

7                           **(II) 1. SITUATIONS UNDER WHICH THE WATER UTILITY**  
8 **TERMINATES SERVICE WITHIN A SPECIFIED AMOUNT OF TIME AFTER LATE PAYMENT**  
9 **OR NONPAYMENT; AND**

10                                   **2. THE SPECIFIED AMOUNT OF TIME THAT RESULTS IN**  
11 **TERMINATION OF SERVICE;**

12           **(52) ANY ALTERNATIVE RATE STRUCTURE OFFERED FOR**  
13 **HOUSEHOLDS WITH A LOW INCOME;**

14           **(53) PAYMENT PLAN TERMS AND CONDITIONS;**

15           **(54) THE APPEALS PROCESS TO DISPUTE:**

16                   **(I) BILLS; AND**

17                           **(II) ASSISTANCE PROGRAM ELIGIBILITY DETERMINATIONS;**  
18 **AND**

19           **(55) THE PHONE NUMBER AND E-MAIL ADDRESS OF THE OFFICE OR**  
20 **PERSON WITH WHOM A CUSTOMER CAN DISCUSS OPTIONS FOR AVERTING**  
21 **TERMINATION OF SERVICE.**

22           **(D) (1) A LARGE WATER UTILITY SHALL PROVIDE:**

23                           **(I) THE DATA LISTED IN SUBSECTION (C)(1) THROUGH (25)**  
24 **AND (46) THROUGH (55) OF THIS SECTION TO THE DEPARTMENT ON AN ANNUAL**  
25 **BASIS; AND**

26                           **(II) THE DATA LISTED IN SUBSECTION (C)(26) THROUGH (45) OF**  
27 **THIS SECTION TO THE DEPARTMENT ON A MONTHLY BASIS.**

1           **(2) A SMALL WATER UTILITY SHALL PROVIDE THE DATA LISTED**  
2 **UNDER SUBSECTION (C) OF THIS SECTION TO THE DEPARTMENT ON AN ANNUAL**  
3 **BASIS.**

4           **(3) TO THE EXTENT PRACTICABLE, A WATER UTILITY SHALL REPORT**  
5 **THE DATA REQUIRED UNDER THIS SUBSECTION DISAGGREGATED BY NINE-DIGIT ZIP**  
6 **CODE.**

7           **(E) THE MAP AND DETAILED DESCRIPTION OF A SERVICE AREA'S**  
8 **BOUNDARIES REQUIRED UNDER SUBSECTION (C) OF THIS SECTION SHALL INCLUDE:**

9           **(1) FOR THE FIRST REPORTING PERIOD, THE DATA FOR THE**  
10 **PRECEDING 15 YEARS; AND**

11           **(2) AFTER THE FIRST REPORTING PERIOD, THE DATA FOR THE**  
12 **PRECEDING CALENDAR YEAR, DISAGGREGATED BY DRINKING WATER AND**  
13 **WASTEWATER SERVICE.**

14           **(F) THE DEPARTMENT SHALL:**

15           **(1) COLLECT AND CONSOLIDATE DRINKING WATER AND**  
16 **WASTEWATER DATA AND INFORMATION REPORTED TO THE DEPARTMENT BY WATER**  
17 **UTILITIES OPERATING IN THE STATE; AND**

18           **(2) BEGINNING ON OR BEFORE AUGUST 1, 2025, MAKE THE DATA AND**  
19 **INFORMATION LISTED IN SUBSECTION (C) OF THIS SECTION AVAILABLE ON THE**  
20 **PLATFORM.**

21           **(G) (1) ON OR BEFORE JULY 1, 2026, AND ON OR BEFORE JULY 1 EVERY**  
22 **2 YEARS THEREAFTER, THE DEPARTMENT SHALL:**

23                   **(I) REVIEW THE DATA AND INFORMATION INCLUDED ON THE**  
24 **PLATFORM; AND**

25                           **(II) 1. IDENTIFY ADDITIONAL DATA THAT SHOULD BE**  
26 **COLLECTED FROM A WATER UTILITY AND INCLUDED ON THE PLATFORM; OR**

27                                   **2. PROVIDE AN EXPLANATION FOR WHY NO ADDITIONAL**  
28 **DATA COLLECTION IS NECESSARY.**

29           **(2) THE DEPARTMENT MAY ADOPT REGULATIONS TO IDENTIFY**  
30 **ADDITIONAL DATA AND INFORMATION TO BE REPORTED TO THE DEPARTMENT IN**  
31 **ACCORDANCE WITH THIS SUBTITLE FROM:**

- 1 (I) A WATER UTILITY;
- 2 (II) A STATE AGENCY; OR
- 3 (III) A LOCAL GOVERNMENT.

4 **9-1205.**

5 IF A WATER UTILITY REPORTS DATA OR INFORMATION UNDER THIS SUBTITLE  
6 THAT DOES NOT INCLUDE ALL DATA OR INFORMATION REQUIRED TO BE REPORTED  
7 UNDER THIS SUBTITLE, THE WATER UTILITY SHALL PROVIDE THE FOLLOWING  
8 INFORMATION WITH THE REPORT:

- 9 (1) A STATEMENT IDENTIFYING ANY DATA NOT INCLUDED;
- 10 (2) AN EXPLANATION FOR WHY THE DATA IS NOT INCLUDED; AND
- 11 (3) A PLAN FOR COLLECTING THE DATA:
- 12 (I) TO COMPLETE THE REPORT; AND
- 13 (II) FOR THE NEXT REPORTING PERIOD.

14 **9-1206.**

15 (A) (1) A WATER UTILITY THAT FAILS TO REPORT THE DATA OR  
16 INFORMATION REQUIRED UNDER THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY  
17 UNDER THIS SECTION.

18 (2) (I) A WATER UTILITY THAT FAILS TO REPORT THE DATA AND  
19 INFORMATION REQUIRED FOR A REPORTING PERIOD UNDER THIS SUBTITLE IS  
20 SUBJECT TO AN INITIAL FINE NOT EXCEEDING \$1,000.

21 (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION AND IN  
22 ADDITION TO A CIVIL PENALTY ASSESSED UNDER SUBPARAGRAPH (I) OF THIS  
23 PARAGRAPH, A LARGE WATER UTILITY THAT FAILS TO REPORT THE DATA REQUIRED  
24 UNDER THIS SUBTITLE IS SUBJECT TO A FINE NOT EXCEEDING \$2,500 FOR EACH 15  
25 DAYS THAT PASS:

26 1. AFTER THE FINE ASSESSED UNDER SUBPARAGRAPH  
27 (I) OF THIS PARAGRAPH; AND

1                                   **2. UNTIL THE WATER UTILITY PROVIDES THE REQUIRED**  
2 **DATA OR INFORMATION.**

3                                   **(III) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION AND IN**  
4 **ADDITION TO A CIVIL PENALTY ASSESSED UNDER SUBPARAGRAPH (I) OF THIS**  
5 **PARAGRAPH, A SMALL WATER UTILITY THAT FAILS TO REPORT THE DATA REQUIRED**  
6 **UNDER THIS SUBTITLE IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 FOR EACH 4**  
7 **MONTHS THAT PASS:**

8                                   **1. AFTER THE FINE ASSESSED UNDER SUBPARAGRAPH**  
9 **(I) OF THIS PARAGRAPH; AND**

10                                   **2. UNTIL THE WATER UTILITY PROVIDES THE REQUIRED**  
11 **DATA OR INFORMATION.**

12                                   **(3) THE DEPARTMENT MAY WAIVE THE FINES UNDER PARAGRAPH**  
13 **(2)(II) AND (III) OF THIS SUBSECTION IF A WATER UTILITY DEMONSTRATES THAT:**

14                                   **(I) THE MISSING OR INCOMPLETE DATA OR INFORMATION**  
15 **CANNOT BE RETRIEVED RETROACTIVELY; AND**

16                                   **(II) THE WATER UTILITY HAS A PLAN FOR OBTAINING THE DATA**  
17 **OR INFORMATION FOR THE NEXT REPORTING CYCLE.**

18                                   **(B) THE REVENUES FROM THE FINES IMPOSED UNDER THIS SECTION SHALL**  
19 **BE DISTRIBUTED TO A SPECIAL FUND, TO BE USED ONLY FOR ENSURING**  
20 **HOUSEHOLDS WITH A LOW INCOME HAVE ACCESS TO DRINKING WATER AND**  
21 **WASTEWATER SERVICES.**

22 **9–1207.**

23                                   **(A) ON OR BEFORE OCTOBER 1, 2024, AND ON OR BEFORE EACH OCTOBER**  
24 **1 THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR**  
25 **AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE**  
26 **GENERAL ASSEMBLY:**

27                                   **(1) ANALYZING THE DATA AND INFORMATION REPORTED BY WATER**  
28 **UTILITIES UNDER THIS SUBTITLE; AND**

29                                   **(2) SUBSTANTIVELY ADDRESSING EACH PUBLIC COMMENT RECEIVED**  
30 **UNDER § 9–1204 OF THIS SUBTITLE DURING THE REPORTING PERIOD.**

1           **(B) THE DEPARTMENT SHALL PUBLISH THE REPORT SUBMITTED UNDER**  
2 **SUBSECTION (A) OF THIS SECTION ON ITS WEBSITE.**

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