

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**

House Bill 540

(Washington County Delegation)

Environmental Matters

Judicial Proceedings

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**Washington County - Deputy Clerk or Sheriff - Oath of Office**

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This bill requires that every deputy clerk and deputy sheriff in Washington County take and sign the oath of office prescribed by the Maryland Constitution before assuming the duties of office.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Washington County finances would not be affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Deputy clerks in Washington County are required to take the oaths prescribed in the Courts and Judicial Proceedings Article and the Maryland Constitution. Deputy sheriffs in Washington County are required to take the oath prescribed in the Courts and Judicial Proceedings Article.

Montgomery County is the only jurisdiction that requires every deputy clerk and deputy sheriff to take and sign the oath of office prescribed by the Maryland Constitution before assuming the duties of office.

**Background:** Washington County advises that having deputy clerks and deputy sheriffs take and sign the oath prescribed in the Maryland Constitution will make the oath taken

and signed by these positions more consistent with the oath taken and signed by other officers in the county. The county further advises that deputy clerks would only take the oath prescribed by the constitution and deputy sheriffs would take the oath prescribed by the constitution instead of the oath prescribed by the Courts and Judicial Proceedings Article.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Washington County, Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2004  
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