

# SENATE BILL 1046

L2

4r3169  
CF HB 1399

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By: **Senators Shank, Edwards, and Young**

Introduced and read first time: February 17, 2014

Assigned to: Rules

Re-referred to: Judicial Proceedings, February 27, 2014

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Washington County – Sheriff and County Commissioners – Salaries**

3 FOR the purpose of providing that the Sheriff of Washington County shall receive a  
4 certain salary ~~in certain years~~; requiring the County Commissioners of  
5 Washington County to set the salaries for certain offices by local law, within a  
6 certain time frame and subject to certain conditions; providing that the County  
7 Commissioners of Washington County shall receive a certain salary ~~in certain~~  
8 ~~years~~; altering the additional amount that the County Commissioner elected  
9 President of the Board shall receive each year; altering the amount that each  
10 County Commissioner may be reimbursed each year for certain expenses;  
11 repealing a certain requirement that the County Commissioners submit certain  
12 recommendations to certain members of the General Assembly; providing for  
13 the application of this Act; and generally relating to the salaries of the Sheriff of  
14 Washington County and the County Commissioners of Washington County.

15 BY repealing and reenacting, without amendments,  
16 Article – Courts and Judicial Proceedings  
17 Section 2–309(a)  
18 Annotated Code of Maryland  
19 (2013 Replacement Volume and 2013 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article – Courts and Judicial Proceedings  
22 Section 2–309(w)(1)

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### 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 Annotated Code of Maryland  
2 (2013 Replacement Volume and 2013 Supplement)

3 BY repealing and reenacting, without amendments,  
4 Article – Local Government  
5 Section 28–207  
6 Annotated Code of Maryland  
7 (2013 Volume)

8 BY repealing and reenacting, with amendments,  
9 Article – Local Government  
10 Section 28–209  
11 Annotated Code of Maryland  
12 (2013 Volume)

13 BY repealing and reenacting, with amendments,  
14 The Public Local Laws of Washington County  
15 Section 1–103  
16 Article 22 – Public Local Laws of Maryland  
17 (2007 Edition and October 2010 Supplement, as amended)

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

20 **Article – Courts and Judicial Proceedings**

21 2–309.

22 (a) The sheriff of a county and his deputies shall receive the annual salaries  
23 provided by this section for performing the duties required of them by the Constitution  
24 and the laws of this State. They shall be reimbursed for expenses as provided by law.

25 (w) (1) (i) The Sheriff of Washington County shall receive a salary of  
26 **[\$88,000] THE GREATER OF:**

27 **1. \$100,000 ~~IN CALENDAR YEAR 2015 AND~~**  
28 **~~THEREAFTER; OR~~**

29 **2. THE SALARY SET BY THE COUNTY**  
30 **COMMISSIONERS OF WASHINGTON COUNTY UNDER TITLE 28, SUBTITLE 2 OF**  
31 **THE LOCAL GOVERNMENT ARTICLE.**

32 (ii) The Sheriff shall appoint a chief deputy at a salary level set  
33 by the County Commissioners.

1 (iii) The Sheriff may appoint deputy sheriffs and other personnel  
2 necessary to perform the duties of office at salary levels set by the County  
3 Commissioners in accordance with the county's budgetary process.

4 **Article – Local Government**

5 28–207.

6 (a) The Commission shall study the salaries of:

7 (1) the County Commissioners of Washington County;

8 (2) the Washington County Board of Education;

9 (3) the Washington County Board of Liquor License Commissioners;

10 (4) the judges of the Orphans' Court for Washington County;

11 (5) the Sheriff of Washington County; and

12 (6) the Treasurer of Washington County.

13 (b) On or before the December 1 following appointment, the Commission  
14 shall issue a report that contains recommendations to the County Commissioners of  
15 Washington County for review and consideration.

16 28–209.

17 (a) [(1) This subsection does not apply to the salaries of the County  
18 Commissioners of Washington County or the Sheriff of Washington County.

19 (2)] Subject to subsection (b) of this section and Article III, § 35 of the  
20 Maryland Constitution, WITHIN 60 DAYS AFTER RECEIVING THE  
21 RECOMMENDATIONS OF THE COMMISSION UNDER § 28–207(B) OF THIS  
22 SUBTITLE, the [county commissioners] **COUNTY COMMISSIONERS OF**  
23 **WASHINGTON COUNTY**, by local law, shall set the salary for each office included in  
24 the recommendations.

25 (b) The County Commissioners of Washington County may accept, reduce, or  
26 reject, but may not increase, the recommendations of the Commission.

27 [(c) On or before the December 15 following appointment of the Commission,  
28 the County Commissioners of Washington County shall submit recommendations to  
29 the members of the General Assembly who represent any part of Washington County  
30 concerning the salaries of the county commissioners and the sheriff.]

1 **Article 22 – Washington County**

2 1–103.

3 (a) The annual salary for a County Commissioner [is \$30,000], payable as  
4 provided by the county's payroll system, **IS THE GREATER OF:**

5 **(1) \$30,000; OR**

6 **(2) THE SALARY SET BY THE COUNTY COMMISSIONERS UNDER**  
7 **TITLE 28, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE OF THE**  
8 **ANNOTATED CODE OF MARYLAND.**

9 (b) The Commissioner elected President of the Board shall receive an  
10 additional ~~\$3,000 per year~~ **AMOUNT PER YEAR THAT IS THE GREATER OF:**

11 **(1) \$3,000; OR**

12 **(2) THE AMOUNT SET BY THE COUNTY COMMISSIONERS UNDER**  
13 **TITLE 28, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE OF THE**  
14 **ANNOTATED CODE OF MARYLAND.**

15 (c) Each County Commissioner may be reimbursed up to an annual ~~total of~~  
16 ~~\$2,000~~ **AMOUNT SET BY THE COUNTY COMMISSIONERS BY LOCAL LAW** for any  
17 reasonable expenses incurred by the Commissioner in carrying out the functions of the  
18 office.

19 (d) Each County Commissioner is entitled to health insurance and to other  
20 fringe benefits regularly provided to county employees.

21 (e) A Commissioner may not receive any other compensation for services as a  
22 Washington County Commissioner.

23 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §  
24 35 of the Maryland Constitution, this Act may not be construed to extend or apply to  
25 the salary or compensation of the Sheriff of Washington County or a County  
26 Commissioner of Washington County while serving in a term of office beginning before  
27 the effective date of this Act, but the provisions of this Act concerning the salary or  
28 compensation of the Sheriff of Washington County and a County Commissioner of  
29 Washington County shall take effect at the beginning of the next following term of  
30 office. This limitation does not apply to an individual appointed or elected after the  
31 effective date of this Act to fill out an unexpired term.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 2014.