

Article - Public Safety

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§2-404.

(a) In this section, “obsolete rank” means a rank designated by the Secretary to which no further promotions will be made.

(b) The Secretary shall make all promotions.

(c) (1) Promotion to a rank, except deputy secretary, shall be made in the manner required by rule.

(2) For a noncommissioned rank that has fewer than 25 police employees, the Secretary by rule may direct that it is unnecessary to fill the noncommissioned rank for purposes of promotion.

(3) (i) This paragraph does not apply to a rank that requires technical knowledge.

(ii) Except as provided in subsection (d) of this section, a police employee may not be appointed or promoted to a rank unless the police employee:

1. is bypassing an obsolete rank and currently fills the rank immediately below the obsolete rank; or

2. has filled the rank immediately below the rank to which the police employee is to be promoted.

(d) (1) Notwithstanding any other provision of law, the Secretary may appoint without examination:

(i) a police employee who holds a commissioned rank to the rank of Major; and

(ii) a police employee who holds a commissioned rank of not less than Captain to the rank of Lieutenant Colonel.

(2) A police employee appointed in accordance with this subsection continues to serve at the pleasure of the Secretary.

(3) Notwithstanding any other provision of law, on termination of an appointment under this subsection, the police employee may:

(i) return to the rank held before the appointment; or

(ii) be promoted to a higher rank to which the police employee became eligible for promotion during the appointment.

(e) An incumbent police employee in an obsolete rank remains in that rank until promoted, demoted, retired, or terminated.

(f) Promotions of civilian employees shall be made in accordance with the State Personnel and Pensions Article.

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