

Chapter 221

**(House Bill 115)**

AN ACT concerning

**Carroll County – Correctional Officers’ Bill of Rights**

FOR the purpose of making the Correctional Officers’ Bill of Rights applicable to correctional officers in Carroll County; and generally relating to rights of a correctional officer in Carroll County.

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 8–201(e), 11–1001(a) and (c), and 11–1004  
Annotated Code of Maryland  
(2008 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–1002  
Annotated Code of Maryland  
(2008 Replacement Volume and 2014 Supplement)

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

**Article – Correctional Services**

8–201.

(e) (1) “Correctional officer” means a member of a correctional unit whose duties relate to the investigation, care, custody, control, or supervision of inmates and individuals who:

- (i) have been placed on parole or mandatory supervision;
- (ii) have been placed on probation; or
- (iii) have received a suspended sentence.

(2) “Correctional officer” does not include:

- (i) the head or deputy head of a correctional unit; or

(ii) a sheriff, warden, or superintendent or an individual with an equivalent title who is appointed or employed by a unit of government to exercise equivalent supervisory authority.

11-1001.

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

(c) (1) “Correctional officer” has the meaning stated in § 8-201 of this article.

(2) “Correctional officer” does not include an officer who is in probationary status on initial entry into the correctional agency except if an allegation of brutality in the execution of the officer’s duties is made against the officer.

11-1002.

This subtitle applies only in Allegany County, **CARROLL COUNTY**, Cecil County, Garrett County, Harford County, and St. Mary’s County.

11-1004.

(a) (1) Except as provided in paragraph (2) of this subsection, a correctional officer has the same rights to engage in political activity as a State employee.

(2) The right of a correctional officer to engage in political activity does not apply when the correctional officer is on duty or acting in an official capacity.

(b) A managing official:

(1) may not prohibit secondary employment by a correctional officer; but

(2) may adopt reasonable regulations that relate to secondary employment by a correctional officer.

(c) A correctional officer may not be required or requested to disclose an item of the correctional officer’s property, income, assets, source of income, debts, or personal or domestic expenditures, including those of a member of the correctional officer’s family or household, unless:

(1) the information is necessary to investigate a possible conflict of interest with respect to the performance of the correctional officer’s official duties; or

(2) the disclosure is required by federal or State law.

(d) A correctional officer may not be discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or otherwise discriminated against in regard to the

correctional officer's employment or be threatened with that treatment because the correctional officer:

- (1) has exercised or demanded the rights granted by this subtitle; or
- (2) has lawfully exercised constitutional rights.

(e) A statute may not abridge and a correctional facility may not adopt a regulation that prohibits the right of a correctional officer to bring suit that arises out of the correctional officer's duties as a correctional officer.

(f) A correctional officer may waive in writing any or all rights granted by this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

**Approved by the Governor, May 12, 2015.**