

SENATE BILL 825

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By: **Senator Conway**

Introduced and read first time: February 5, 2018

Assigned to: Finance and Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Sheriff’s Office – Appointments, Salaries, and Workers’**
3 **Compensation**

4 FOR the purpose of increasing the maximum number of deputy sheriff sergeants and
5 deputy sheriffs that may be appointed by the Baltimore City Sheriff; requiring the
6 salary of a certain deputy sheriff, deputy sheriff sergeant, and deputy sheriff
7 lieutenant to be set at a certain rate under certain circumstances; providing for
8 enhanced workers’ compensation benefits for a Baltimore City deputy sheriff for a
9 compensable permanent partial disability of less than a certain number of weeks;
10 providing for the application of this Act; and generally relating to the Baltimore City
11 Sheriff’s Office.

12 BY repealing and reenacting, with amendments,
13 Article – Courts and Judicial Proceedings
14 Section 2–309(d)
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2017 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Labor and Employment
19 Section 9–628(a)
20 Annotated Code of Maryland
21 (2016 Replacement Volume and 2017 Supplement)

22 BY repealing and reenacting, without amendments,
23 Article – Labor and Employment
24 Section 9–628(h) and 9–629
25 Annotated Code of Maryland
26 (2016 Replacement Volume and 2017 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 That the Laws of Maryland read as follows:

2 **Article – Courts and Judicial Proceedings**

3 2–309.

4 (d) (1) (i) In Baltimore City, the Sheriff shall receive an expense allowance
5 of \$750 two times per year and a salary of:

6 1. \$79,300 in calendar year 2007;

7 2. \$84,600 in calendar year 2008;

8 3. \$89,900 in calendar year 2009;

9 4. \$95,200 in calendar year 2010; and

10 5. In calendar year 2011 and thereafter, no less than the
11 salary of a Command Staff 2 in the Baltimore City Police Department at the midpoint in
12 the pay scale.

13 (ii) The Sheriff:

14 1. Shall appoint an undersheriff or chief deputy sheriff, one
15 assistant sheriff, three deputy sheriff majors, three deputy sheriff captains, six deputy
16 sheriff lieutenants, one secretary sheriff, and one fiscal clerk sheriff; and

17 2. May appoint up to a maximum of:

18 A. **[9] 10** deputy sheriff sergeants;

19 B. **[103] 109** deputy sheriffs;

20 C. 2 domestic violence clerks; and

21 D. 2 domestic violence advocates.

22 (iii) 1. Except for deputy sheriffs, deputy sheriff sergeants, and
23 deputy sheriff lieutenants, salaries for these employees shall be set by the Secretary of
24 Budget and Management.

25 2. **[Salaries] SUBJECT TO SUBSUBPARAGRAPH 5 OF THIS**
26 **SUBPARAGRAPH, SALARIES** for deputy sheriffs shall be set at a rate not less than the
27 salary equivalent to grade 14 of the State pay scale.

28 3. **[Salaries] SUBJECT TO SUBSUBPARAGRAPH 5 OF THIS**

1 **SUBPARAGRAPH, SALARIES** for deputy sheriff sergeants shall be set at a rate not less
2 than the salary equivalent to grade 16 of the State pay scale.

3 4. **[Salaries] SUBJECT TO SUBSUBPARAGRAPH 5 OF THIS**
4 **SUBPARAGRAPH, SALARIES** for deputy sheriff lieutenants shall be set at a rate not less
5 than the salary equivalent to grade 18 of the State pay scale.

6 5. **A SALARY FOR A DEPUTY SHERIFF, DEPUTY SHERIFF**
7 **SERGEANT, AND DEPUTY SHERIFF LIEUTENANT SHALL BE SET AT A RATE NOT LESS**
8 **THAN THE SALARY OF AN EMPLOYEE OF THE BALTIMORE POLICE DEPARTMENT OF**
9 **THE EQUIVALENT RANK AND SERVICE IF THE INDIVIDUAL:**

10 A. **IS CERTIFIED AS A POLICE OFFICER THROUGH THE**
11 **MARYLAND POLICE TRAINING AND STANDARDS COMMISSION; AND**

12 B. **HAS JURISDICTIONAL AUTHORITY TO MAKE ARRESTS,**
13 **ISSUE TRAFFIC CITATIONS, DRIVE AN EMERGENCY VEHICLE, SERVE WARRANTS,**
14 **SEIZE PROPERTY BY COURT ORDER, AND SERVE DOMESTIC VIOLENCE ORDERS IN**
15 **BALTIMORE CITY.**

16 (iv) In addition to any other compensation received, each deputy
17 sheriff shall receive an expense allowance of \$400 annually for:

18 1. Ammunition for practice sessions at the range;

19 2. Clothing allowance to defray the cost of dry cleaning and
20 maintaining the clothing worn while on duty; and

21 3. The purchase and maintenance of other items necessary
22 to fulfill duties that currently are not furnished by the Baltimore City Sheriff's Department.

23 (v) A deputy sheriff who uses a personal automobile is entitled to a
24 monthly automobile allowance at the same rate paid to other State employees. Any Sheriff
25 who is assigned a city-owned automobile may not receive the monthly automobile expense
26 allowance.

27 (vi) The Sheriff's Office shall also have assistants at the
28 compensation provided for in the annual ordinance of estimates of Baltimore City.
29 Provisions shall also be made in the ordinance for the expenses of the Office of the Sheriff,
30 including the purchase and maintenance of motor vehicles.

31 (vii) The Mayor and City Council of Baltimore have the same power
32 with respect to the salaries of the Office of the Sheriff as they have under the city charter
33 with respect to the salaries of all municipal departments.

34 (viii) Employees of the Sheriff's Office, except the Sheriff, shall be

1 selected according to the provisions of the State Personnel and Pensions Article.

2 (2) The Mayor and City Council shall pay monthly to the Sheriff of
3 Baltimore City one twelfth of the amount provided in the ordinance of estimates for the
4 expenses of the Sheriff's Office. Within 30 days after June 30th in each and every year the
5 Sheriff of Baltimore City shall pay to the Mayor and City Council of Baltimore any of the
6 unexpended expense funds advanced during the preceding year and render a detailed
7 account to the Mayor and City Council of Baltimore of all expense funds received and
8 expended by him. The Mayor and City Council of Baltimore shall reimburse the State of
9 Maryland for the administrative costs incurred because the employees of the Sheriff's Office
10 of Baltimore City are in the State Personnel Management System.

11 (3) During the course of his employment, any deputy sheriff of Baltimore
12 City may ride in Baltimore City on public transportation of the Maryland Transit
13 Administration without paying any fare if he shows proper identification regarding his
14 position as a deputy sheriff.

15 **Article – Labor and Employment**

16 9–628.

17 (a) In this section, “public safety employee” means:

18 (1) a firefighter, fire fighting instructor, or paramedic employed by:

19 (i) a municipal corporation;

20 (ii) a county;

21 (iii) the State;

22 (iv) the State Airport Authority; or

23 (v) a fire control district;

24 (2) a volunteer firefighter or volunteer ambulance, rescue, or advanced life
25 support worker who is a covered employee under § 9–234 of this title and who provides
26 volunteer fire or rescue services to:

27 (i) a municipal corporation;

28 (ii) a county;

29 (iii) the State;

30 (iv) the State Airport Authority; or

- 1 (v) a fire control district;
- 2 (3) a police officer employed by:
 - 3 (i) a municipal corporation;
 - 4 (ii) a county;
 - 5 (iii) the State;
 - 6 (iv) the State Airport Authority;
 - 7 (v) the Maryland–National Capital Park and Planning Commission;
 - 8 or
 - 9 (vi) the Washington Metropolitan Area Transit Authority;
 - 10 (4) a Prince George’s County deputy sheriff or correctional officer;
 - 11 (5) a Montgomery County deputy sheriff or correctional officer;
 - 12 (6) an Allegany County deputy sheriff;
 - 13 (7) a Howard County deputy sheriff;
 - 14 (8) an Anne Arundel County deputy sheriff or detention officer; [or]
 - 15 (9) a Baltimore County deputy sheriff, but only when the deputy sheriff
 - 16 sustains an accidental personal injury that arises out of and in the course and scope of
 - 17 performing duties directly related to:
 - 18 (i) courthouse security;
 - 19 (ii) prisoner transportation;
 - 20 (iii) service of warrants;
 - 21 (iv) personnel management; or
 - 22 (v) other administrative duties; **OR**

(10) A BALTIMORE CITY DEPUTY SHERIFF.

24 (h) If a public safety employee is awarded compensation for less than 75 weeks,
 25 the employer or its insurer shall pay the public safety employee compensation at the rate
 26 set for an award of compensation for a period greater than or equal to 75 weeks but less
 27 than 250 weeks under § 9–629 of this subtitle.

1 9-629.

2 If a covered employee is awarded compensation for a period equal to or greater than
3 75 weeks but less than 250 weeks, the employer or its insurer shall pay the covered
4 employee weekly compensation that equals two-thirds of the average weekly wage of the
5 covered employee but does not exceed one-third of the State average weekly wage.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
7 apply only prospectively and may not be applied or interpreted to have any effect on or
8 application to any claims arising before the effective date of this Act.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2018.