
By: Delegate Arnick

Introduced and read first time: January 21, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Local Government - State Residency Requirements - Prohibition**

3 FOR the purpose of prohibiting Baltimore City, each county, each municipal corporation,
4 and certain regional agencies from requiring an employee to reside within the State
5 as a condition of employment; prohibiting discrimination between residents and
6 other citizens of the State or any other state in specified employment decisions;
7 allowing certain preferences in accordance with a local merit system; and generally
8 relating to residency requirements as a condition of employment.

9 BY repealing and reenacting, without amendments,
10 Article 24 - Political Subdivisions - Miscellaneous Provisions
11 Section 1-101(a) and (b)
12 Annotated Code of Maryland
13 (1996 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article 24 - Political Subdivisions - Miscellaneous Provisions
16 Section 1-107
17 Annotated Code of Maryland
18 (1996 Replacement Volume)

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

21 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

22 1-101.

23 (a) Unless the context clearly requires otherwise, in this article the following
24 words have the meanings indicated.

25 (b) "County" means a county of the State and Baltimore City.

26 1-107.

27 (a) (1) In this section the following words have the meanings indicated.

1 (2) "Administrator" means the chief administrative officer of a county or
2 municipal corporation.

3 (3) "Department head" means the head of a separate unit of a county or
4 municipal corporation who reports directly to an elected executive or administrator or
5 directly to the governing body of the county or municipal corporation.

6 (4) "Employee" does not include an elected official, a department head, or
7 an administrator.

8 (5) "Regional agency" means an agency created under State law that
9 provides governmental services to more than one political subdivision.

10 (b) (1) A county or municipal corporation may not require an employee to
11 reside within the [county] STATE, COUNTY, or municipal corporation or within a
12 required distance of the [county] STATE, COUNTY, or municipal corporation as a
13 condition of employment.

14 (2) Subject to subsection (c) of this section, a county or municipal
15 corporation may not discriminate between residents and other citizens of the State OR
16 ANY OTHER STATE in employment, promotion, demotion, layoff, and discharge
17 decisions.

18 (c) A county or municipal corporation may grant a resident of the [county]
19 STATE, COUNTY, or municipal corporation additional points or credits in employment or
20 promotion decisions if the points or credits are provided under provisions of a merit
21 system established by the county or municipal corporation by local law or ordinance.

22 (d) A regional agency may not require an employee as a condition of employment
23 to reside within THE STATE OR a political subdivision for which the regional agency
24 provides governmental services or within a required distance of THE STATE OR a political
25 subdivision for which the agency provides governmental services.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 1997.