

Unofficial Copy
D2

1997 Regular Session
7r2749

By: ~~Delegate Schisler~~ Delegates Schisler, Walkup, W. Baker, Edwards, and Eckardt

Introduced and read first time: February 17, 1997

Assigned to: Judiciary

Reassigned: Commerce and Government Matters, February 19, 1997

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 1997

CHAPTER ____

1 AN ACT concerning

2 **Deputy Sheriffs and Chief Deputies - Employment Status**

3 FOR the purpose of establishing, in ~~Caroline, Dorchester, and Talbot Counties~~ certain
4 counties, that a chief deputy appointed by the Sheriff shall serve at the pleasure of
5 the Sheriff; prohibiting, in ~~Caroline, Dorchester, and Talbot Counties~~ certain
6 counties, a Sheriff from refusing to reappoint a deputy sheriff without just cause;
7 making stylistic changes; and generally relating to the employment status of chief
8 deputies and deputy sheriffs in ~~Caroline, Dorchester, and Talbot Counties~~ certain
9 counties.

10 BY repealing and reenacting, with amendments,
11 Article - Courts and Judicial Proceedings
12 Section 2-309(g), (k), ~~(m), (p), (s)~~, and (v)
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1996 Supplement)

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

17 **Article - Courts and Judicial Proceedings**

18 2-309.

19 (g) (1) The Sheriff of Caroline County shall receive an annual salary of \$45,000
20 in 1995 and in each subsequent year.

21 (2) The Sheriff may appoint deputy sheriffs and other personnel in
22 accordance with the County budget.

2

1 (3) A CHIEF DEPUTY APPOINTED BY THE SHERIFF SHALL SERVE AT THE
2 PLEASURE OF THE SHERIFF.

3 (4) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY SHERIFF
4 WITHOUT JUST CAUSE.

5 (k) (1) The Sheriff of Dorchester County shall receive an annual salary of
6 \$45,000 and be allowed the actual operating costs of the Sheriff's office, including the
7 maintenance of automobiles.

8 (2) (i) The Sheriff shall appoint a chief deputy sheriff WHO SHALL
9 SERVE AT THE PLEASURE OF THE SHERIFF.

10 (ii) If an employee of the Sheriff's office is appointed as chief deputy
11 sheriff and is subsequently removed from the chief deputy sheriff's position for other than
12 cause, the person may resume the employment status held prior to the appointment to the
13 chief deputy sheriff's position.

14 (iii) The chief deputy sheriff shall:

15 1. Perform all duties assigned by the Sheriff; and

16 2. If the Sheriff is temporarily incapacitated or there is a
17 vacancy in the office of the Sheriff, perform all legal functions of the Sheriff.

18 (iv) If the Sheriff becomes incapacitated and the position of chief
19 deputy sheriff is vacant, the County Commissioners shall appoint an acting chief deputy
20 sheriff to serve until the Sheriff is reactivated or replaced.

21 (v) The County Commissioners shall approve the salary of the chief
22 deputy sheriff.

23 (3) (i) The Sheriff may appoint probationary deputy sheriffs, deputy
24 sheriffs, investigators, communications officers, secretaries, supervisors, administrators,
25 and other staff as approved in the county budget.

26 (ii) The County Commissioners shall approve the salaries for all staff
27 appointed by the Sheriff.

28 (III) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY
29 SHERIFF WITHOUT JUST CAUSE.

30 (m) (1) (i) The Sheriff of Garrett County shall receive:

31 1. \$28,250 for calendar year 1991;

32 2. \$30,500 for calendar year 1992;

33 3. \$32,750 for calendar year 1993;

34 4. \$35,000 for calendar year 1994; and

35 5. For each subsequent year, the salary set by the County
36 Commissioners in accordance with Chapter 91 of the Public Local Laws of Garrett
37 County.

3

1 (ii) The Sheriff is entitled to a sum set by the County Commissioners,
2 for expenses.

3 (2) (I) The Sheriff shall employ deputies as needed, within the budgetary
4 limits, at salaries of at least \$5,200 each, one of whom shall act as warden of the jail, and
5 a matron for the jail who shall also perform clerical duties at the salary set by the Sheriff.

6 (II) The Sheriff may employ additional special deputies whose
7 compensation shall be approved by the County Commissioners.

8 (III) A CHIEF DEPUTY APPOINTED BY THE SHERIFF SHALL SERVE
9 AT THE PLEASURE OF THE SHERIFF.

10 (IV) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY
11 SHERIFF WITHOUT JUST CAUSE.

12 (3) The Sheriff and the deputy sheriffs shall be allowed extra car mileage
13 and out-of-county mileage at the rate of 14 cents per mile. This mileage allowance shall
14 not be payable if the Sheriff's office is furnished with automobiles.

15 (4) The Sheriff shall be reimbursed for the expenses of boarding prisoners
16 committed to the county jail, to be paid monthly upon vouchers submitted by him to the
17 County Commissioners of Garrett County. He shall also submit with these vouchers an
18 affidavit sworn to by him upon personal knowledge showing for each day of the month
19 just passed the number of prisoners boarded by him. The Sheriff may appoint a cook for
20 the jail who shall receive a salary of at least \$2,400. The Sheriff, deputies, and cook shall
21 each receive an additional allowance of \$200 per year for uniforms and cleaning.

22 (p) (1) The Sheriff of Kent County shall receive a salary of \$35,000 and, at the
23 discretion of the County Commissioners, county-owned automobiles as may be necessary
24 to operate the Sheriff's department. The Sheriff shall appoint a chief deputy sheriff who
25 shall receive a salary of at least \$8,000 AND SHALL SERVE AT THE PLEASURE OF THE
26 SHERIFF. The Sheriff and the Sheriff's deputies shall be paid allowances as the
27 Commissioners may deem necessary.

28 (2) The County Commissioners may authorize additional deputies as
29 necessary and shall set their compensation at the time of their appointment.

30 (3) The County Commissioners may authorize the Sheriff to appoint as
31 part-time deputies individuals employed in specific plants, schools, hospitals, institutions,
32 business enterprises, and land development tracts situated within Kent County who are
33 limited to service only within the particular facility where they are employed, and who
34 may not be compensated by Kent County for their services.

35 (4) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY SHERIFF
36 WITHOUT JUST CAUSE.

37 (s) (1) The Sheriff of Queen Anne's County shall receive a salary set by the
38 County Commissioners of at least \$10,000.

39 (2) The Sheriff shall appoint a chief deputy, WHO SHALL SERVE AT THE
40 PLEASURE OF THE SHERIFF, at a salary set by the County Commissioners of at least
41 \$4,500.

1 (3) (I) The Sheriff may appoint the number of assistant deputy sheriffs as
2 the County Commissioners approve, at salaries set by the County Commissioners of at
3 least \$4,200.

4 (II) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY
5 SHERIFF WITHOUT JUST CAUSE.

6 (III) The Commissioners may appoint an assistant deputy sheriff, at a
7 salary set by the County Commissioners of at least \$4,200.

8 [(2)] (4) The salaries are in lieu of all expenses, fees, costs, and charges,
9 except for the board and keeping of prisoners in the county jail and other necessary
10 operating expenses allowed by law or practice, including all expenses for transferring
11 persons to and from penal institutions, places of confinement and State institutions in the
12 State under sentence or order of an authority.

13 (v) (1) The Sheriff of Talbot County shall receive a salary as set by the County
14 Council. [He]

15 (2) THE SHERIFF may appoint, subject to the approval of the County
16 Council, the number of deputies he deems necessary at the compensation fixed by the
17 County Council prior to the appointment.

18 (3) A CHIEF DEPUTY APPOINTED BY THE SHERIFF SHALL SERVE AT THE
19 PLEASURE OF THE SHERIFF.

20 (4) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY SHERIFF
21 WITHOUT JUST CAUSE.

22 (5) The Sheriff's office shall be operated on a 24-hour daily basis.

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