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By: **Frederick County Delegation**

Introduced and read first time: January 25, 2001

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - County Treasurer**

3 FOR the purpose of abolishing the elected position of County Treasurer of Frederick  
4 County; requiring that the County Treasurer of Frederick County be a regular  
5 county employee; repealing a certain provision setting the annual salary of the  
6 County Treasurer; providing that this Act does not apply to the salary or  
7 compensation of the incumbent County Treasurer of Frederick County; and  
8 generally relating to the County Treasurer of Frederick County.

9 BY repealing

10 The Public Local Laws of Frederick County  
11 Section 2-7-26, 2-7-27, and 2-7-30  
12 Article 11 - Public Local Laws of Maryland  
13 (1979 Edition and July 2000 Supplement, as amended)

14 BY repealing and reenacting, with amendments,

15 The Public Local Laws of Frederick County  
16 Section 2-7-28  
17 Article 11 - Public Local Laws of Maryland  
18 (1979 Edition and July 2000 Supplement, as amended)

19 BY repealing

20 Article 25 - County Commissioners  
21 Section 51(m)  
22 Annotated Code of Maryland  
23 (1998 Replacement Volume and 2000 Supplement)

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

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**Article 11 - Frederick County**

2 [2-7-26.

3 At the general election to be held the Tuesday next after the first Monday in the  
4 month of November, in the year 1930 and on the same day in every fourth year  
5 thereafter, a county treasurer shall be elected by the qualified voters of the county.]

6 [2-7-27.

7 The county treasurer shall hold office from the first of December next ensuing  
8 the election for the term of 4 years and until a successor in office is duly elected and  
9 qualified. The county treasurer shall be removed from office by the board of county  
10 commissioners upon conviction for any willful neglect of duty or misbehavior or  
11 malfeasance in office. In case of a vacancy in the office, the Governor of the State  
12 shall fill such vacancy by appointment of some person having the necessary  
13 qualification, who shall hold such office for the remainder of the term.]

14 2-7-28.

15 (a) The county treasurer shall be collector of all State and county taxes for the  
16 county, for whatsoever purpose, which shall be levied or assessed [during the county  
17 treasurer's term of office,] in the same manner and to the same extent and with the  
18 same powers heretofore exercised by the county treasurer and collector of state and  
19 county taxes for the county, under the laws of the State. The county treasurer shall  
20 receive and collect all State and county taxes, levied, assessed, or received for  
21 collection, with full power and authority to enforce the payment of the same by  
22 distraint, sale or otherwise, and also receive all moneys which shall be due and  
23 payable to the county from any source. The county treasurer may convey to  
24 purchasers thereof, the title to any real or personal property sold by the county  
25 treasurer for the payment of state or county taxes.

26 (b) The county treasurer shall collect all taxes levied by the board of county  
27 commissioners and shall receive all money due to the county from any source,  
28 including interest paid on such taxes as are in arrears, and deposit the same. The  
29 county treasurer shall pay over as the board of county commissioners may direct all  
30 money received for the county that may at any time be in the county treasurer's  
31 custody, charge or control and belong to the county.

32 (c) [The county treasurer shall receive the salary prescribed by State law and  
33 any fringe benefits regularly provided to county employees. Nothing in this section or  
34 in any law heretofore passed shall prohibit any county treasurer for the county from  
35 being eligible for any consecutive terms or any other additional terms in such office]  
36 THE COUNTY TREASURER SHALL BE A REGULAR COUNTY EMPLOYEE.

37 (d) All the authority, rights, powers, duties and privileges heretofore had,  
38 held, enjoyed and exercised by the collector of State and county taxes for the county  
39 under the provisions of Annotated Code of Maryland shall be had, held, enjoyed and  
40 exercised by the county treasurer for the county. The county treasurer's manner of  
41 proceeding to collect and enforce the payment of State and county taxes in the county,

1 shall be the same as prescribed in the Annotated Code of Maryland. Nothing herein  
2 contained shall be taken in any way to change or interfere with the provisions of the  
3 existing law relating to the collection of State and county taxes for the county other  
4 than the changes herein set forth or that may be necessarily implied therefrom.

5 [2-7-30.

6 Before the county treasurer assumes the duties of office, the Clerk of the Circuit  
7 Court for Frederick County shall administer to the county treasurer the oath of office  
8 required under Article I, Section 9 of the Constitution of Maryland.]

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#### **Article 25 - County Commissioners**

10 51.

11 [(m) In Frederick County the annual salary of the County Treasurer is  
12 \$50,000.]

13 SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act  
14 affects the term of office of the incumbent County Treasurer of Frederick County. The  
15 individual who is serving as County Treasurer on the effective date of this Act shall  
16 remain County Treasurer for the balance of the term to which elected unless the  
17 County Treasurer dies, resigns, or is removed under provisions of law before the  
18 expiration of the term.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
20 effect July 1, 2001.