

HOUSE BILL 89

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2002 Regular Session
2lr0024

(PRE-FILED)

By: **Chairman, Appropriations Committee (Departmental - State Police)**

Requested: November 14, 2001

Introduced and read first time: January 9, 2002

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of State Police - Promotion of Sworn Personnel**

3 FOR the purpose of authorizing the Secretary to establish by rule the process for
4 promotion of certain police employees to certain ranks; repealing certain
5 provisions for promotion of certain commissioned officers; and generally relating
6 to the authority of the Secretary to make promotions.

7 BY repealing and reenacting, with amendments,
8 Article 88B - Department of State Police
9 Section 19
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 2001 Supplement)

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

14 **Article 88B - Department of State Police**

15 19.

16 (a) All promotions shall be made by the Secretary.

17 (b) Except as provided in subsection (c) of this section, no police employee
18 shall be appointed or promoted to any rank except one which requires technical
19 knowledge, unless the employee is bypassing an obsolete rank and currently fills the
20 rank immediately below the rank that has been declared obsolete, or has filled the
21 rank immediately below that to which the employee is promoted; but as to any
22 noncommissioned rank which contains less than twenty-five police employees, the
23 Secretary may by rule direct that it is unnecessary to fill such rank for purposes of
24 promotion. Promotion to any [noncommissioned] rank, EXCEPT DEPUTY SECRETARY,
25 shall be made in the manner prescribed by rule. [Promotion to any commissioned
26 rank, except deputy secretary, shall be made from among those persons appearing in
27 any position on a list of eligible persons prepared in accordance with the provisions of
28 the State Personnel and Pensions Article.]

1 (c) Notwithstanding any other provisions of law the Secretary may appoint,
2 without examination, any police employee holding a commissioned rank to the rank of
3 Major and any police employee holding a commissioned rank of not less than Captain
4 to the rank of Lieutenant Colonel. A police employee appointed in accordance with
5 this provision shall continue to serve at the Secretary's pleasure. Upon termination of
6 an appointment by the Secretary under this subsection, the police employee may
7 return to the rank held prior to the appointment or to a higher rank to which the
8 police employee has become eligible for promotion during the police employee's
9 appointment, notwithstanding any other provision of law.

10 (d) Incumbent employees within an obsolete rank will remain until promoted,
11 demoted, retired, or terminated.

12 (e) Promotions of civilian employees shall be made in accordance with the
13 provisions of the State Personnel and Pensions Article.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2002.