

HOUSE BILL 89

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2002 Regular Session  
2lr0024

(PRE-FILED)

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

Requested: November 14, 2001

Introduced and read first time: January 9, 2002

Assigned to: Appropriations

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Committee Report: Favorable

House action: Adopted

Read second time: March 1, 2002

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CHAPTER \_\_\_\_\_

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

1 noncommissioned rank which contains less than twenty-five police employees, the  
2 Secretary may by rule direct that it is unnecessary to fill such rank for purposes of  
3 promotion. Promotion to any [noncommissioned] rank, EXCEPT DEPUTY SECRETARY,  
4 shall be made in the manner prescribed by rule. [Promotion to any commissioned  
5 rank, except deputy secretary, shall be made from among those persons appearing in  
6 any position on a list of eligible persons prepared in accordance with the provisions of  
7 the State Personnel and Pensions Article.]

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

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

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

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