
By: **Delegate W. Baker**

Introduced and read first time: February 14, 2002

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Talbot County and Dorchester County - Chief Deputy Sheriffs and Deputy**
3 **Sheriffs - Employment Status**

4 FOR the purpose of establishing that a chief deputy sheriff or the managerial
5 equivalent appointed by the Sheriff of Dorchester County shall serve at the
6 pleasure of the Sheriff; prohibiting the Sheriff of Dorchester County and the
7 Sheriff of Talbot County from refusing to reappoint a deputy sheriff without just
8 cause; authorizing the Sheriff of Talbot County to appoint a chief deputy sheriff
9 or the managerial equivalent who shall serve at the pleasure of the Sheriff; and
10 generally relating to the chief deputy sheriffs and deputy sheriffs in Talbot
11 County and in Dorchester County.

12 BY repealing and reenacting, with amendments,
13 Article - Courts and Judicial Proceedings
14 Section 2-309(k) and (v)
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 2001 Supplement)

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

19 **Article - Courts and Judicial Proceedings**

20 2-309.

21 (k) (1) The Sheriff of Dorchester County shall receive an annual salary of
22 \$45,000 and be allowed the actual operating costs of the Sheriff's office, including the
23 maintenance of automobiles.

24 (2) (i) The Sheriff shall appoint a chief deputy [sheriff] SHERIFF, OR
25 THE MANAGERIAL EQUIVALENT, WHO SHALL SERVE AT THE PLEASURE OF THE
26 SHERIFF.

27 (ii) If an employee of the Sheriff's office is appointed as chief deputy
28 sheriff and is subsequently removed from the chief deputy sheriff's position for other

1 than cause, the person may resume the employment status held prior to the
2 appointment to the chief deputy sheriff's position.

3 (iii) The chief deputy sheriff shall:

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

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

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

10 (v) The County Commissioners shall approve the salary of the chief
11 deputy sheriff.

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

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

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

19 (v) (1) The Sheriff of Talbot County shall receive a salary as set by the
20 County Council.

21 (2) [He] THE SHERIFF may appoint, subject to the approval of the
22 County Council, the number of deputies [he] THE SHERIFF deems necessary at the
23 compensation fixed by the County Council prior to the appointment.

24 (3) THE SHERIFF MAY APPOINT A CHIEF DEPUTY SHERIFF, OR THE
25 MANAGERIAL EQUIVALENT, WHO SHALL SERVE AT THE PLEASURE OF THE SHERIFF.

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

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

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