

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE
Revised

House Bill 1285

(Delegate W. Baker, *et al.*)

Commerce and Government Matters

Judicial Proceedings

Talbot, Dorchester, Caroline, Kent, and Queen Anne's Counties - Chief Deputy
Sheriffs and Deputy Sheriffs - Employment Status

This bill provides that in Caroline, Dorchester, Kent, and Talbot counties a chief deputy sheriff or the managerial equivalent appointed by the sheriff shall serve at the pleasure of the sheriff. The bill also provides that the Sheriff of Queen Anne's County may appoint a managerial equivalent of a chief deputy sheriff who shall serve at the pleasure of the sheriff. The sheriff in Caroline, Dorchester, Kent, Queen Anne's, and Talbot counties may not refuse to reappoint a deputy sheriff without just cause.

Fiscal Summary

State Effect: None.

Local Effect: Providing that the chief deputy sheriff or managerial equivalent serves at the pleasure of the county sheriff would not directly affect Caroline, Dorchester, Kent, Queen Anne's, or Talbot counties finances.

Small Business Effect: None.

Analysis

Current Law: In Dorchester, Kent, and Queen Anne's counties, the sheriff must appoint a chief deputy sheriff. In Caroline and Talbot counties, there is no provision of law that requires the sheriff to appoint a chief deputy sheriff or managerial equivalent. In Caroline, Dorchester, Kent, Queen Anne's, and Talbot counties there is no provision of law that the sheriff may not refuse to reappoint a deputy sheriff without cause.

Five counties have a chief deputy sheriff, who serves at the pleasure of the sheriff and is therefore outside of any classified service system. When such positions lack classified service protection, the appointee is generally an employee at will. In some counties, the law provides that a chief deputy has a right to return to the chief deputy sheriff's former rank if relieved from the position of chief deputy.

Additional Information

Prior Introductions: Similar bills, applicable separately to Dorchester and Talbot counties, were introduced in the 2001 session as HB 1180 and HB 1206 respectively. The House Judiciary Committee did not take action on the bills.

Cross File: None.

Information Source(s): Talbot County, Dorchester County, Department of Legislative Services

Fiscal Note History: First Reader - February 28, 2002
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