

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 657

(Cecil County Delegation)

Commerce and Government Matters

Judicial Proceedings

Cecil County - Fire Police - Designated Number

This bill increases from 12 to 20 the number of fire police in each fire company that may be designated and recommended by the captain, chief, or other commanding officer of the fire companies in Cecil County to be appointed as deputy sheriffs by the Cecil County Sheriff.

Fiscal Summary

State Effect: None.

Local Effect: Cecil County expenditures would not be affected by increasing the number of fire police designated and recommended to be appointed deputy sheriffs.

Small Business Effect: None.

Analysis

Current Law: Generally, in Cecil, Allegany, Baltimore, Caroline, Carroll, Frederick, Harford, Kent, Queen Anne's, Somerset, Washington, Wicomico, and Worcester counties the captain, chief, or other commanding officer of each fire company may designate members of each fire company to be recommended to be appointed deputy sheriff. The sheriff of each respective county must appoint three fire police to have deputy sheriff powers except in Caroline County where the sheriff may appoint fire police to have deputy sheriff powers. Generally, a list of three designated members from each fire company is submitted by the captain, chief, or other commanding officer of a fire company to the sheriff. Fire police are authorized to have the power of a deputy sheriff at fires and on the way to and from fires.

However, in Cecil, Allegany, Carroll, Frederick, Harford, Kent, Somerset, Wicomico, and Worcester counties 12 members of each fire company may be designated by the captain, chief, or other commanding officer to be recommended to be appointed deputy sheriff by the sheriff of the respective county. Also, in these counties: (1) the powers of fire police are limited, but may be exercised when functioning as fire police at parades, accidents, floods, other emergencies, or any function conducted by a fire company or the sheriff's department; (2) the powers of a fire police may be exercised in a municipal corporation subject to the direction of the local police chief and in other areas of the county and on State roadways subject to the direction of the State Police; (3) fire police may not use any weapon in the performance of their duties; and (4) fire police may be required to demonstrate a satisfactory level of training in law enforcement.

However, there are exceptions to the provision of law governing fire police. As a way of illustration two examples follow. In Baltimore, Cecil, Queen Anne's, and Washington counties the fire police may not exercise deputy sheriff powers in a municipal corporation that maintains an organized or regular police force. In Washington County, the fire police may not exercise the powers of deputy sheriff in events organized by a sheriff's department.

Background: There are seven fire companies in Cecil County. Cecil County advises that it does not fund the positions in fire companies.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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lsc/hlb

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