

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 401

(Delegate Barkley)

Environmental Matters

Judicial Proceedings

Montgomery County - Deputy Clerk or Sheriff - Oath of Office

This bill requires that every deputy clerk and deputy sheriff in Montgomery County take and sign the oath of office prescribed by the Maryland Constitution before assuming the duties of office.

Fiscal Summary

State Effect: None.

Local Effect: Changing the oath deputy clerks and deputy sheriffs in Montgomery County are required to take and sign before assuming office would not affect county finances.

Small Business Effect: None.

Analysis

Current Law: Deputy clerks and deputy sheriffs are required to take the oath prescribed in the Courts and Judicial Proceedings Article.

Anyone elected or appointed to an office of profit must take the oath prescribed under the Maryland Constitution. Sheriffs and court clerks are required by statute to take the constitutional oath of office.

Background: Montgomery County advises that having deputy clerks and deputy sheriffs take and sign the oath prescribed in the Maryland Constitution will make the oath taken

and signed by these positions more consistent with the oath taken and signed by other officers in the county.

Additional Information

Prior Introductions: None.

Cross File: SB 385 (Senator Ruben) – Judicial Proceedings.

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

Fiscal Note History: First Reader - February 18, 2003
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