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By: **Washington County Delegation**
Introduced and read first time: February 10, 2005
Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2   **Washington County - Sheriff's Salary**

3 FOR the purpose of altering the salary for the Sheriff of Washington County;
4   providing that this Act does not apply to the salary or compensation of the
5   incumbent Sheriff of Washington County; and generally relating to the salary
6   for the Sheriff of Washington County.

7 BY repealing and reenacting, with amendments,
8   Article - Courts and Judicial Proceedings
9   Section 2-309(w)
10   Annotated Code of Maryland
11   (2002 Replacement Volume and 2004 Supplement)

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

14   **Article - Courts and Judicial Proceedings**

15 2-309.

16   (w)   (1)   The Sheriff of Washington County shall receive a salary of [$67,500]
17 $80,000. The Sheriff shall appoint a chief deputy at a salary level set by the County
18 Commissioners. The Sheriff may appoint deputy sheriffs and other personnel
19 necessary to perform the duties of office at salary levels set by the County
20 Commissioners in accordance with the county's budgetary process.

21   (2)   Any deputy sheriff appointed according to this section shall be placed
22 on a probationary status for the first year of his employment, and may be dismissed
23 by the Sheriff for any reason during that probationary period. At the conclusion of
24 twelve months' continuous employment, a deputy sheriff having the rank of
25 lieutenant or below has tenure, and may be discharged by the Sheriff only for
26 misfeasance, malfeasance, nonfeasance, or insubordination in office.

27   (3)   If the Sheriff of Washington County approves after considering
28 personnel needs, the County Commissioners may authorize a deputy sheriff to

1 perform off-duty services for any person who agrees to pay a fee, including but not
2 limited to, hourly rates for off-duty service, any necessary insurance to be determined
3 by the Commissioners, including any fringe benefits and the reasonable rental cost of
4 uniforms or other equipment used by any off-duty personnel.

5   (4)   (i)   The Sheriff of Washington County may appoint special deputy
6 sheriffs, including members of the police force of a Washington County municipality
7 who are:

8   1.   Selected by the chief of police of the municipality; and

9   2.   Verified by the chief of police of the municipality as having
10 achieved at least the minimum level of training for police duties in a municipality as
11 designated by the Maryland Police Training Commission.

12   (ii)   The appointment of special deputy sheriffs is subject to the
13 following conditions:

14   1.   The Sheriff shall assign the special deputy sheriff who is a
15 member of the police force to duties in the municipality where the special deputy
16 sheriff is a member of the police force, or in the surrounding area;

17   2.   The Sheriff may terminate the appointment of the special
18 deputy sheriff for cause or on completion of the assignment for which he was
19 appointed;

20   3.   The special deputy sheriff is not an employee of
21 Washington County for the purpose of employment security or employee benefits; and

22   4.   County liability insurance shall be provided to a special
23 deputy sheriff only when he is acting within his official duties.

24   SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
25 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
26 the salary or compensation of the Sheriff of Washington County in office on the
27 effective date of this Act, but the provisions of this Act concerning the salary or
28 compensation of the Sheriff of Washington County shall take effect at the beginning of
29 the next following term of office.

30   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2005.