UNOFFICIAL COPY OF HOUSE BILL 1448

D2 SB 616/04 - JPR 51r2982 CF 51r2942

By: Delegate Goodwin

Introduced and read first time: February 22, 2005 Assigned to: Rules and Executive Nominations Re-referred to: Environmental Matters, March 3, 2005

Committee Report: Favorable with amendments House action: Adopted Read second time: March 23, 2005

CHAPTER_____

1 AN ACT concerning

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Baltimore City Sheriff - Employees - Salaries

3 FOR the purpose of altering the salaries of certain employees of the Baltimore City

- 4 Sheriff; altering certain surcharges on filing fees in the District Court in
- 5 Baltimore City; requiring certain revenue to be remitted quarterly to the
- 6 Baltimore City Director of Finance and used for a certain purpose; providing for
- 7 the funding of salaries of certain employees of the Baltimore City Sheriff; and

8 generally relating to the salaries of employees of the Baltimore City Sheriff.

9 BY repealing and reenacting, with amendments,

- 10 Article Courts and Judicial Proceedings
- 11 Section 2-309(d) and 7-301(c)
- 12 Annotated Code of Maryland
- 13 (2002 Replacement Volume and 2004 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

15 MARYLAND, That the Laws of Maryland read as follows:

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Article - Courts and Judicial Proceedings

17 2-309.

18(d)(1)(i)In Baltimore City, the Sheriff shall receive an expense19allowance of \$1,000 per year and a salary of:

20 1. \$70,000 in calendar year 2002;

2 **UNOFFICIAL COPY OF HOUSE BILL 1448** 2. \$70,000 in calendar year 2003; 1 3. \$72,000 in calendar year 2004; 2 3 4. \$72,000 in calendar year 2005; and 5. 4 \$74,000 in calendar year 2006 and thereafter. The Sheriff: 5 (ii) 6 Shall appoint an undersheriff or chief deputy sheriff, one 1. assistant sheriff, two deputy sheriff majors, two deputy sheriff captains, four deputy 7 sheriff lieutenants, four deputy sheriff sergeants, one secretary sheriff, and one fiscal 8 9 clerk sheriff; and 10 2. May appoint a total of 83 deputy sheriffs. (iii) 1. Except for deputy sheriffs, DEPUTY SHERIFF SERGEANTS, 11 12 AND DEPUTY SHERIFF LIEUTENANTS, salaries for these employees shall be set by the 13 Secretary of Budget and Management. Salaries for deputy sheriffs shall be set at a rate not less 14 2. 15 than the salary equivalent to grade [12] 14 of the State pay scale. SALARIES FOR DEPUTY SHERIFF SERGEANTS SHALL BE 16 3. 17 SET AT A RATE NOT LESS THAN THE SALARY EQUIVALENT TO GRADE 17 16 OF THE 18 STATE PAY SCALE. 19 SALARIES FOR DEPUTY SHERIFF LIEUTENANTS SHALL BE 4. 20 SET AT A RATE NOT LESS THAN THE SALARY EQUIVALENT TO GRADE 19 18 OF THE 21 STATE PAY SCALE. 22 In addition to any other compensation received, each deputy (iv) 23 sheriff shall receive an expense allowance of \$200 annually for: 1. Ammunition for practice sessions at the range; 24 25 2. Clothing allowance to defray the cost of dry cleaning and 26 maintaining the clothing worn while on duty; and 27 The purchase and maintenance of other items necessary to 3. 28 fulfill duties that currently are not furnished by the Baltimore City Sheriff's 29 department. 30 (v) A deputy sheriff who uses a personal automobile is entitled to a monthly automobile allowance at the same rate paid to other State employees. Any 31 Sheriff who is assigned a city-owned automobile may not receive the monthly 32 33 automobile expense allowance. 34 The Sheriff's office shall also have assistants at the (vi) 35 compensation provided for in the annual ordinance of estimates of Baltimore City.

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1 Provisions shall also be made in the ordinance for the expenses of the office of the 2 Sheriff, including the purchase and maintenance of motor vehicles.

3 (vii) The Mayor and City Council of Baltimore have the same power 4 with respect to the salaries of the office of the Sheriff as they have under the city 5 charter with respect to the salaries of all municipal departments.

6 (viii) Employees of the Sheriff's office, except the Sheriff, shall be 7 selected according to the provisions of the State Personnel and Pensions Article.

8 (2) The Mayor and City Council shall pay monthly to the Sheriff of

9 Baltimore City one twelfth of the amount provided in the ordinance of estimates for 10 the expenses of the Sheriff's office. Within 30 days after June 30th in each and every

11 year the Sheriff of Baltimore City shall pay to the Mayor and City Council of

12 Baltimore any of the unexpended expense funds advanced during the preceding year

13 and render a detailed account to the Mayor and City Council of Baltimore of all

14 expense funds received and expended by him. The Mayor and City Council of

15 Baltimore shall reimburse the State of Maryland for the administrative costs

16 incurred because the employees of the Sheriff's office of Baltimore City are in the

17 State Personnel Management System.

18 (3) During the course of his employment, any deputy sheriff of Baltimore 19 City may ride in Baltimore City on public transportation of the Maryland Transit

20 Administration without paying any fare if he shows proper identification regarding

21 his position as a deputy sheriff.

22 7 301.

23 (c)(1)The filing fees and costs in a civil case are those prescribed by law 24 subject to modification by law, rule, or administrative regulation. 25 [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS (2)26 SUBSECTION, THE Chief Judge of the District Court shall assess a surcharge that: (i) 27 May not be more than: 28 1. \$5 per summary ejectment case; and 2. 29 \$10 per case for all other civil cases; and 30 (ii) Shall be deposited into the Maryland Legal Services 31 Corporation Fund established under § 7 408 of this title.

32 (3) (1) IN ADDITION TO THE SURCHARGE ASSESSED UNDER

33 PARAGRAPH (2) OF THIS SUBSECTION, THE CHIEF JUDGE OF THE DISTRICT COURT

34 SHALL ASSESS A SURCHARGE FOR SUMMARY EJECTMENT CASES FILED IN

35 BALTIMORE CITY THAT MAY NOT BE MORE THAN \$7 PER CASE.

36(II)THE REVENUE GENERATED FROM THE SURCHARGE ON FILING37FEES FOR SUMMARY EJECTMENT CASES COLLECTED BY THE DISTRICT COURT IN

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1 BALTIMORE CITY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE

2 REMITTED QUARTERLY TO THE BALTIMORE CITY DIRECTOR OF FINANCE. THE

3 REVENUE SHALL BE USED TO FUND SALARY INCREASES FOR THE BALTIMORE CITY

4 DEPUTY SHERIFFS, DEPUTY SHERIFF SERGEANTS, AND DEPUTY SHERIFF

5 LIEUTENANTS UNDER § 2 309(D) OF THIS ARTICLE.

6 [(3)] (4) The Court of Appeals may provide by rule for waiver of 7 prepayment of filing fees and other costs in cases of indigency.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take

9 effect July 1, 2005.