

ENROLLED BILL

-- *Judicial Proceedings/Environmental Matters* --

Introduced by **Senators Conway, Gladden, Jones, and McFadden**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City Sheriff - Employees - Salaries ~~and Expense Allowances~~**

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 to fund the salaries of certain
7 employees of the Baltimore City Sheriff; ~~altering the expense allowance amount~~
8 received by a deputy sheriff; ~~altering certain surcharges on filing fees in the~~
9 District Court in Baltimore City; ~~requiring certain revenue to be remitted~~
10 quarterly to the Baltimore City Director of Finance and used for a certain
11 purpose; ~~providing for the funding of salaries of certain employees of the~~
12 Baltimore City Sheriff; *providing for the termination of certain provisions of this*
13 Act; and generally relating to the salaries ~~and expense allowances~~ of employees
14 of the Baltimore City Sheriff.

15 BY repealing and reenacting, with amendments,
16 Article - Courts and Judicial Proceedings

1 Section 2-309(d) ~~and 7-301(c) and 7-301(e)~~
 2 Annotated Code of Maryland
 3 (2002 Replacement Volume and 2004 Supplement)

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

6 **Article - Courts and Judicial Proceedings**

7 2-309.

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

- 10 1. \$70,000 in calendar year 2002;
- 11 2. \$70,000 in calendar year 2003;
- 12 3. \$72,000 in calendar year 2004;
- 13 4. \$72,000 in calendar year 2005; and
- 14 5. \$74,000 in calendar year 2006 and thereafter.

15 (ii) The Sheriff:

16 1. Shall appoint an undersheriff or chief deputy sheriff, one
 17 assistant sheriff, two deputy sheriff majors, two deputy sheriff captains, four deputy
 18 sheriff lieutenants, four deputy sheriff sergeants, one secretary sheriff, and one fiscal
 19 clerk sheriff; and

20 2. May appoint a total of 83 deputy sheriffs.

21 (iii) 1. Except for deputy sheriffs, DEPUTY SHERIFF SERGEANTS,
 22 AND DEPUTY SHERIFF LIEUTENANTS, salaries for these employees shall be set by the
 23 Secretary of Budget and Management.

24 2. Salaries for deputy sheriffs shall be set at a rate not less
 25 than the salary equivalent to grade [12] ~~45~~ 14 of the State pay scale.

26 3. SALARIES FOR DEPUTY SHERIFF SERGEANTS SHALL BE
 27 SET AT A RATE NOT LESS THAN THE SALARY EQUIVALENT TO GRADE ~~47~~ 16 OF THE
 28 STATE PAY SCALE.

29 4. SALARIES FOR DEPUTY SHERIFF LIEUTENANTS SHALL BE
 30 SET AT A RATE NOT LESS THAN THE SALARY EQUIVALENT TO GRADE ~~49~~ 18 OF THE
 31 STATE PAY SCALE.

32 (iv) In addition to any other compensation received, each deputy
 33 sheriff shall receive an expense allowance of ~~ƒ~~\$200 annually ~~+ \$100 QUARTERLY~~ for:

- 1 1. Ammunition for practice sessions at the range;
- 2 2. Clothing allowance to defray the cost of dry cleaning and
- 3 maintaining the clothing worn while on duty; and
- 4 3. The purchase and maintenance of other items necessary to
- 5 fulfill duties that currently are not furnished by the Baltimore City Sheriff's
- 6 department.

7 (v) A deputy sheriff who uses a personal automobile is entitled to a

8 monthly automobile allowance at the same rate paid to other State employees. Any

9 Sheriff who is assigned a city-owned automobile may not receive the monthly

10 automobile expense allowance.

11 (vi) The Sheriff's office shall also have assistants at the

12 compensation provided for in the annual ordinance of estimates of Baltimore City.

13 Provisions shall also be made in the ordinance for the expenses of the office of the

14 Sheriff, including the purchase and maintenance of motor vehicles.

15 (vii) The Mayor and City Council of Baltimore have the same power

16 with respect to the salaries of the office of the Sheriff as they have under the city

17 charter with respect to the salaries of all municipal departments.

18 (viii) Employees of the Sheriff's office, except the Sheriff, shall be

19 selected according to the provisions of the State Personnel and Pensions Article.

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

21 Baltimore City one twelfth of the amount provided in the ordinance of estimates for

22 the expenses of the Sheriff's office. Within 30 days after June 30th in each and every

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

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

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

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

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

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

29 State Personnel Management System.

30 (3) During the course of his employment, any deputy sheriff of Baltimore

31 City may ride in Baltimore City on public transportation of the Maryland Transit

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

33 his position as a deputy sheriff.

34 ~~7-301.~~

35 ~~(e) (1) The filing fees and costs in a civil case are those prescribed by law~~

36 ~~subject to modification by law, rule, or administrative regulation.~~

37 (2) ~~[The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS~~

38 ~~SUBSECTION, THE Chief Judge of the District Court shall assess a surcharge that:~~

- 1 (i) May not be more than:
- 2 1. \$5 per summary ejectment case; and
- 3 2. \$10 per case for all other civil cases; and
- 4 (ii) Shall be deposited into the Maryland Legal Services
- 5 Corporation Fund established under § 7-408 of this title.

6 ~~(3) (4) IN ADDITION TO THE SURCHARGE ASSESSED UNDER~~

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

8 ~~SHALL ASSESS A SURCHARGE FOR SUMMARY EJECTMENT CASES FILED IN~~

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

10 (H) THE REVENUE GENERATED FROM THE SURCHARGE ON FILING

11 FEES FOR SUMMARY EJECTMENT CASES COLLECTED BY THE DISTRICT COURT IN

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

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

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

15 DEPUTY SHERIFFS, DEPUTY SHERIFF SERGEANTS, AND DEPUTY SHERIFF

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

17 ~~[(3)] (4) The Court of Appeals may provide by rule for waiver of~~

18 ~~prepayment of filing fees and other costs in cases of indigency.~~

19 *SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland*

20 *read as follows:*

21 **Article - Courts and Judicial Proceedings**

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 (2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS

26 SUBSECTION, THE Chief Judge of the District Court shall assess a surcharge that:

- 27 (i) May not be more than:
- 28 1. \$5 per summary ejectment case; and
- 29 2. \$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

1 SHALL ASSESS A SURCHARGE FOR SUMMARY EJECTMENT CASES FILED IN
2 BALTIMORE CITY THAT MAY NOT BE MORE THAN \$7 \$4 PER CASE.

3 (II) THE REVENUE GENERATED FROM THE SURCHARGE ON FILING
4 FEES FOR SUMMARY EJECTMENT CASES COLLECTED BY THE DISTRICT COURT IN
5 BALTIMORE CITY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE:

6 1. REMITTED QUARTERLY TO THE BALTIMORE CITY
7 DIRECTOR OF FINANCE; AND

8 2. USED TO FUND SALARY INCREASES FOR THE BALTIMORE
9 CITY DEPUTY SHERIFFS, DEPUTY SHERIFF SERGEANTS, AND DEPUTY SHERIFF
10 LIEUTENANTS UNDER § 2-309(D) OF THIS ARTICLE.

11 [(3)] (4) The Court of Appeals may provide by rule for waiver of
12 prepayment of filing fees and other costs in cases of indigency.

13 SECTION 2, 3. AND BE IT FURTHER ENACTED, That this Act shall take
14 effect July 1, 2005. *Section 2 of this Act shall remain effective for period of 2 years and,*
15 *at the end of June 30, 2007, with no further action required by the General Assembly.*
16 *Section 2 of this Act shall be abrogated and of no further force and effect.*