
By: **Senators Conway, Gladden, Jones, and McFadden**

Introduced and read first time: February 23, 2005

Assigned to: Rules

A BILL ENTITLED

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 the expense allowance amount received by a deputy sheriff;
5 altering certain surcharges on filing fees in the District Court in Baltimore City;
6 requiring certain revenue to be remitted quarterly to the Baltimore City
7 Director of Finance and used for a certain purpose; providing for the funding of
8 salaries of certain employees of the Baltimore City Sheriff; and generally
9 relating to the salaries and expense allowances of employees of the Baltimore
10 City Sheriff.

11 BY repealing and reenacting, with amendments,
12 Article - Courts and Judicial Proceedings
13 Section 2-309(d) and 7-301(c)
14 Annotated Code of Maryland
15 (2002 Replacement Volume and 2004 Supplement)

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

18 **Article - Courts and Judicial Proceedings**

19 2-309.

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

- 22 1. \$70,000 in calendar year 2002;
- 23 2. \$70,000 in calendar year 2003;
- 24 3. \$72,000 in calendar year 2004;
- 25 4. \$72,000 in calendar year 2005; and
- 26 5. \$74,000 in calendar year 2006 and thereafter.

1 (ii) The Sheriff:

2 1. Shall appoint an undersheriff or chief deputy sheriff, one
3 assistant sheriff, two deputy sheriff majors, two deputy sheriff captains, four deputy
4 sheriff lieutenants, four deputy sheriff sergeants, one secretary sheriff, and one fiscal
5 clerk sheriff; and

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

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

10 2. Salaries for deputy sheriffs shall be set at a rate not less
11 than the salary equivalent to grade [12] 15 of the State pay scale.

12 3. SALARIES FOR DEPUTY SHERIFF SERGEANTS SHALL BE
13 SET AT A RATE NOT LESS THAN THE SALARY EQUIVALENT TO GRADE 17 OF THE
14 STATE PAY SCALE.

15 4. SALARIES FOR DEPUTY SHERIFF LIEUTENANTS SHALL BE
16 SET AT A RATE NOT LESS THAN THE SALARY EQUIVALENT TO GRADE 19 OF THE
17 STATE PAY SCALE.

18 (iv) In addition to any other compensation received, each deputy
19 sheriff shall receive an expense allowance of [\$200 annually] \$100 QUARTERLY for:

20 1. Ammunition for practice sessions at the range;

21 2. Clothing allowance to defray the cost of dry cleaning and
22 maintaining the clothing worn while on duty; and

23 3. The purchase and maintenance of other items necessary to
24 fulfill duties that currently are not furnished by the Baltimore City Sheriff's
25 department.

26 (v) A deputy sheriff who uses a personal automobile is entitled to a
27 monthly automobile allowance at the same rate paid to other State employees. Any
28 Sheriff who is assigned a city-owned automobile may not receive the monthly
29 automobile expense allowance.

30 (vi) The Sheriff's office shall also have assistants at the
31 compensation provided for in the annual ordinance of estimates of Baltimore City.
32 Provisions shall also be made in the ordinance for the expenses of the office of the
33 Sheriff, including the purchase and maintenance of motor vehicles.

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

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

3 (2) The Mayor and City Council shall pay monthly to the Sheriff of
4 Baltimore City one twelfth of the amount provided in the ordinance of estimates for
5 the expenses of the Sheriff's office. Within 30 days after June 30th in each and every
6 year the Sheriff of Baltimore City shall pay to the Mayor and City Council of
7 Baltimore any of the unexpended expense funds advanced during the preceding year
8 and render a detailed account to the Mayor and City Council of Baltimore of all
9 expense funds received and expended by him. The Mayor and City Council of
10 Baltimore shall reimburse the State of Maryland for the administrative costs
11 incurred because the employees of the Sheriff's office of Baltimore City are in the
12 State Personnel Management System.

13 (3) During the course of his employment, any deputy sheriff of Baltimore
14 City may ride in Baltimore City on public transportation of the Maryland Transit
15 Administration without paying any fare if he shows proper identification regarding
16 his position as a deputy sheriff.

17 7-301.

18 (c) (1) The filing fees and costs in a civil case are those prescribed by law
19 subject to modification by law, rule, or administrative regulation.

20 (2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS
21 SUBSECTION, THE Chief Judge of the District Court shall assess a surcharge that:

22 (i) May not be more than:

23 1. \$5 per summary ejectment case; and

24 2. \$10 per case for all other civil cases; and

25 (ii) Shall be deposited into the Maryland Legal Services
26 Corporation Fund established under § 7-408 of this title.

27 (3) (I) IN ADDITION TO THE SURCHARGE ASSESSED UNDER
28 PARAGRAPH (2) OF THIS SUBSECTION, THE CHIEF JUDGE OF THE DISTRICT COURT
29 SHALL ASSESS A SURCHARGE FOR SUMMARY EJECTMENT CASES FILED IN
30 BALTIMORE CITY THAT MAY NOT BE MORE THAN \$7 PER CASE.

31 (II) THE REVENUE GENERATED FROM THE SURCHARGE ON FILING
32 FEES FOR SUMMARY EJECTMENT CASES COLLECTED BY THE DISTRICT COURT IN
33 BALTIMORE CITY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE
34 REMITTED QUARTERLY TO THE BALTIMORE CITY DIRECTOR OF FINANCE. THE
35 REVENUE SHALL BE USED TO FUND SALARY INCREASES FOR THE BALTIMORE CITY
36 DEPUTY SHERIFFS, DEPUTY SHERIFF SERGEANTS, AND DEPUTY SHERIFF
37 LIEUTENANTS UNDER § 2-309(D) OF THIS ARTICLE.

1 [3] (4) The Court of Appeals may provide by rule for waiver of
2 prepayment of filing fees and other costs in cases of indigency.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
4 effect July 1, 2005.