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

By: Senators Conway, Gladden, Jones, and McFadden

Introduced and read first time: February 23, 2005

Assigned to: Rules

Re-referred to: Judicial Proceedings, February 25, 2005

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 30, 2005 Returned to second reading: April 1, 2005 Senate action: Adopted with floor amendments

Read second time: April 1, 2005

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; <u>altering certain surcharges on filing fees in the District Court in</u>
- 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; and generally relating to the salaries and expense
- 13 allowances of employees of the Baltimore City Sheriff.
- 14 BY repealing and reenacting, with amendments,
- 15 Article Courts and Judicial Proceedings
- 16 Section 2-309(d) and 7-301(c) and 7-301(e)
- 17 Annotated Code of Maryland
- 18 (2002 Replacement Volume and 2004 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 20 MARYLAND, That the Laws of Maryland read as follows:

1		Article	- Courts and Judicial Proceedings			
2	2-309.					
3 4	(d) (1) (i) In Baltimore City, the Sheriff shall receive an expense allowance of \$1,000 per year and a salary of:					
5		1.	\$70,000 in calendar year 2002;			
6		2.	\$70,000 in calendar year 2003;			
7		3.	\$72,000 in calendar year 2004;			
8		4.	\$72,000 in calendar year 2005; and			
9		5.	\$74,000 in calendar year 2006 and thereafter.			
10	(ii)	The She	riff:			
13	1. Shall appoint an undersheriff or chief deputy sheriff, one assistant sheriff, two deputy sheriff majors, two deputy sheriff captains, four deputy sheriff lieutenants, four deputy sheriff sergeants, one secretary sheriff, and one fiscal clerk sheriff; and					
15		2.	May appoint a total of 83 deputy sheriffs.			
	(iii) AND DEPUTY SHERIFF LII Secretary of Budget and Mana		Except for deputy sheriffs, DEPUTY SHERIFF SERGEANTS, NTS, salaries for these employees shall be set by the			
19 20	than the salary equivalent to g	2. grade [12]	Salaries for deputy sheriffs shall be set at a rate not less 45 14 of the State pay scale.			
	SET AT A RATE NOT LESS STATE PAY SCALE.	3. STHAN T	SALARIES FOR DEPUTY SHERIFF SERGEANTS SHALL BE THE SALARY EQUIVALENT TO GRADE 17 <u>16</u> OF THE			
	SET AT A RATE NOT LESS STATE PAY SCALE.	4. STHAN T	SALARIES FOR DEPUTY SHERIFF LIEUTENANTS SHALL BE THE SALARY EQUIVALENT TO GRADE 19 <u>18</u> OF THE			
27 28	(iv) sheriff shall receive an expens		tion to any other compensation received, each deputy acce of [\$200 annually] \$100 QUARTERLY for:			
29		1.	Ammunition for practice sessions at the range;			
30 31	maintaining the clothing worn	2. while on	Clothing allowance to defray the cost of dry cleaning and duty; and			

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	3. The purchase and maintenance of other items necessary to fulfill duties that currently are not furnished by the Baltimore City Sheriff's department.						
6	(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 Sheriff who is assigned a city-owned automobile may not receive the monthly automobile expense allowance.						
10	(vi) The Sheriff's office shall also have assistants at the compensation provided for in the annual ordinance of estimates of Baltimore City. Provisions shall also be made in the ordinance for the expenses of the office of the Sheriff, including the purchase and maintenance of motor vehicles.						
	(vii) The Mayor and City Council of Baltimore have the same power with respect to the salaries of the office of the Sheriff as they have under the city charter with respect to the salaries of all municipal departments.						
15 16	(viii) Employees of the Sheriff's office, except the Sheriff, shall be selected according to the provisions of the State Personnel and Pensions Article.						
19 20 21 22 23 24 25	The Mayor and City Council shall pay monthly to the Sheriff of Baltimore City one twelfth of the amount provided in the ordinance of estimates for the expenses of the Sheriff's office. Within 30 days after June 30th in each and every year the Sheriff of Baltimore City shall pay to the Mayor and City Council of Baltimore any of the unexpended expense funds advanced during the preceding year and render a detailed account to the Mayor and City Council of Baltimore of all expense funds received and expended by him. The Mayor and City Council of Baltimore shall reimburse the State of Maryland for the administrative costs incurred because the employees of the Sheriff's office of Baltimore City are in the State Personnel Management System.						
29	During the course of his employment, any deputy sheriff of Baltimore City may ride in Baltimore City on public transportation of the Maryland Transit Administration without paying any fare if he shows proper identification regarding his position as a deputy sheriff.						
31	7-301.						
32 33	(c) (1) The filing fees and costs in a civil case are those prescribed by law subject to modification by law, rule, or administrative regulation.						
34 35	(2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE Chief Judge of the District Court shall assess a surcharge that:						
36	(i) May not be more than:						
37	1. \$5 per summary ejectment case; and						
38	2. \$10 per case for all other civil cases; and						

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1 2	Corporation Fund esta	(ii) ablished i		deposited into the Maryland Legal Services 408 of this title.
	•			
3	(3)	(I)		NITION TO THE SURCHARGE ASSESSED UNDER
	` /			'ION, THE CHIEF JUDGE OF THE DISTRICT COURT R SUMMARY EJECTMENT CASES FILED IN
		-		F BE MORE THAN \$7 PER CASE.
U	DALTIMORE CITT	111/11 IV	M 1 NO 1	DE WORE THAN \$7 FER CASE.
7		(II)	THE RE	EVENUE GENERATED FROM THE SURCHARGE ON FILING
	EEES FOR SHMMA	` /		CASES COLLECTED BY THE DISTRICT COURT IN
				RAGRAPH (I) OF THIS PARAGRAPH SHALL BE
				BALTIMORE CITY DIRECTOR OF FINANCE. THE
				ND SALARY INCREASES FOR THE BALTIMORE CITY
				RIFF SERGEANTS, AND DEPUTY SHERIFF
	LIEUTENANTS UN			
		Ü	` /	
14	[(3)]	(4)	The Cou	urt of Appeals may provide by rule for waiver of
15	prepayment of filing	fees and		ts in cases of indigency.
16	<u>7-301.</u>			
17	<u>(c)</u> <u>(1)</u>			d costs in a civil case are those prescribed by law
18	subject to modification	on by law	<u>, rule, or</u>	administrative regulation.
10	(2)	(m) 1 m	V.CEDE /	A C PROVIDED BY DAD A CRAPH (2) OF THE
19	(<u>2)</u>			AS PROVIDED IN PARAGRAPH (3) OF THIS
20	SUBSECTION, THE	E Chief Ju	iage of th	e District Court shall assess a surcharge that:
21		<u>(i)</u>	May not	be more than:
		(1)	ivia ince	to their than.
22			<u>1.</u>	\$5 per summary ejectment case; and
			_	
23			<u>2.</u>	\$10 per case for all other civil cases; and
				•
24		<u>(ii)</u>	Shall be	deposited into the Maryland Legal Services
25	Corporation Fund est	ablished	under § 7	7-408 of this title.
26	<u>(3)</u>	<u>(I)</u>		ITION TO THE SURCHARGE ASSESSED UNDER
27	PARAGRAPH (2) O	F THIS S	SUBSEC	<u>FION, THE CHIEF JUDGE OF THE DISTRICT COURT</u>
				OR SUMMARY EJECTMENT CASES FILED IN
29	BALTIMORE CITY	THAT N	MAY NO	<u>T BE MORE THAN \$7 PER CASE.</u>
30		<u>(II)</u>		EVENUE GENERATED FROM THE SURCHARGE ON FILING
				CASES COLLECTED BY THE DISTRICT COURT IN
32	BALTIMORE CITY	UNDER	SUBPA	RAGRAPH (I) OF THIS PARAGRAPH SHALL BE:
~~				DELAMBED ON A BEEDLA MO TAND DAY TO THE CORE
33	DIRECTOR OF FIN	ANCE	1 <u>.</u>	REMITTED QUARTERLY TO THE BALTIMORE CITY
4/1	THREE TOR OF HIN	4 NI H /	A N I	

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- 1 2. <u>USED TO FUND SALARY INCREASES FOR THE</u>
 2 <u>CITY DEPUTY SHERIFFS, DEPUTY SHERIFF SERGEANTS, AND DEPUTY SHERIFF</u> USED TO FUND SALARY INCREASES FOR THE BALTIMORE
- 3 <u>LIEUTENANTS UNDER § 2-309(D) OF THIS ARTICLE.</u>
- [(3)]<u>(4)</u> The Court of Appeals may provide by rule for waiver of
- 5 prepayment of filing fees and other costs in cases of indigency.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take 6
- 7 effect July 1, 2005.