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By: **Washington County Delegation**  
 Introduced and read first time: February 6, 2006  
 Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Washington County - Fire Companies - Designation of Deputy Sheriff**  
 3 **Appointees**

4 FOR the purpose of providing that a commanding officer of a fire company in  
 5 Washington County may designate no more than a certain number of members  
 6 of the fire company to be considered for the appointment of deputy sheriff; and  
 7 generally relating to designating members of fire companies in Washington  
 8 County for appointment as deputy sheriffs.

9 BY repealing and reenacting, with amendments,  
 10 Article - Public Safety  
 11 Section 7-302  
 12 Annotated Code of Maryland  
 13 (2003 Volume and 2005 Supplement)

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

16 **Article - Public Safety**

17 7-302.

18 (a) This section applies only to Baltimore County, Caroline County, Cecil  
 19 County, Queen Anne's County, and Washington County.

20 (b) The sheriff of a county subject to this section may appoint as deputy  
 21 sheriffs members of fire companies, whether volunteer, career, incorporated, or  
 22 unincorporated, to exercise the powers of deputy sheriffs at fires and while going to  
 23 and from fires.

24 (c) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
 25 SUBSECTION, THE commanding officer may designate three members of the fire  
 26 company to be appointed as deputy sheriffs.

1 (2) IN WASHINGTON COUNTY, THE COMMANDING OFFICER MAY  
2 DESIGNATE NO MORE THAN 12 MEMBERS OF THE FIRE COMPANY TO BE APPOINTED  
3 AS DEPUTY SHERIFFS.

4 (3) The commanding officer may be one of the [three] members  
5 designated under this subsection.

6 (d) (1) (i) Except in Caroline County, the sheriff of a county subject to this  
7 section shall appoint as deputy sheriff a member of the fire company designated  
8 under subsection (c) of this section on request of the designated member.

9 (ii) In Caroline County, the Sheriff of Caroline County may appoint  
10 the designated member as deputy sheriff.

11 (2) A request for appointment shall be accompanied by a written  
12 certificate of designation signed by the commanding officer.

13 (e) (1) Except as provided in paragraphs (2) and (3) of this subsection, a  
14 member of a fire company appointed as deputy sheriff under this section may exercise  
15 the powers of deputy sheriffs at fires and while going to and from fires.

16 (2) The powers of members appointed as deputy sheriffs do not apply and  
17 may not be exercised in a municipal corporation that maintains an organized police  
18 force.

19 (3) In Washington County, a member appointed as deputy sheriff has the  
20 powers necessary to perform the duties of deputy sheriffs while going to, functioning  
21 at, or returning from:

22 (i) fires;

23 (ii) accidents;

24 (iii) floods;

25 (iv) other emergencies; or

26 (v) other functions conducted by a fire company.

27 (f) (1) The appointment of a member of a fire company as deputy sheriff  
28 terminates if the member ceases to be a member of the fire company.

29 (2) The sheriff of a county subject to this section may remove a member  
30 appointed as deputy sheriff at any time for just cause.

31 (3) If a member appointed as deputy sheriff dies, resigns, is dismissed,  
32 refuses to serve, or is unable to serve, the commanding officer may designate another  
33 member of the fire company to be appointed as deputy sheriff.

34 (4) (i) Except in Caroline County, if the commanding officer designates  
35 another member of the fire company to be appointed as deputy sheriff, the sheriff of

1 the county shall appoint that member as deputy sheriff, subject to subsections (d) and  
2 (e) of this section.

3 (ii) In Caroline County, the Sheriff of Caroline County may appoint  
4 the designated member as deputy sheriff.

5 (g) In Washington County, a member of a fire company appointed as deputy  
6 sheriff under this section is deemed an appointed official and shall be treated as an  
7 appointed official for purposes of Titles 22 and 23 of the State Personnel and Pensions  
8 Article.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2006.