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

Committee Report: Favorable
 House action: Adopted
 Read second time: March 22, 2006

CHAPTER_____

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

1 unincorporated, to exercise the powers of deputy sheriffs at fires and while going to
2 and from fires.

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

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

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

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

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

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

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

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

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

27 (i) fires;

28 (ii) accidents;

29 (iii) floods;

30 (iv) other emergencies; or

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

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

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

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

4 (4) (i) Except in Caroline County, if the commanding officer designates
5 another member of the fire company to be appointed as deputy sheriff, the sheriff of
6 the county shall appoint that member as deputy sheriff, subject to subsections (d) and
7 (e) of this section.

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

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

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