

SENATE BILL 374

D2

71r1621
CF HB 323

By: **Senator Stoltzfus**

Introduced and read first time: February 2, 2007

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 28, 2007

CHAPTER _____

1 AN ACT concerning

2 **Worcester County – Sheriff’s Office – Personnel Policies**

3 FOR the purpose of establishing a certain minimum annual salary for the Sheriff of
4 Worcester County; authorizing the Sheriff to appoint certain employees;
5 requiring the County Commissioners of Worcester County to pay certain
6 expenses of the Sheriff’s Office; providing that the chief deputy sheriff serves at
7 the pleasure of the Sheriff; requiring that a certain person who serves as chief
8 deputy sheriff revert to a certain status upon removal; providing that certain
9 personnel rules and regulations of Worcester County apply to certain employees
10 of the Sheriff’s Office, authorizing the Sheriff to adopt certain rules for
11 employees of the Sheriff’s Office; providing that certain employees of the
12 Sheriff’s Office may be disciplined or terminated for cause only in accordance
13 with certain policies; requiring that certain employees of the Sheriff’s Office be
14 reappointed at certain times; authorizing the County Commissioners to provide
15 certain support to the Sheriff relating to personnel matters; granting the Sheriff
16 control over the employees of the Sheriff’s Office, subject to certain limitations;
17 providing that this Act does not apply to the salary or compensation of the
18 incumbent Sheriff of Worcester County; and generally relating to the personnel
19 policies of the Sheriff’s Office of Worcester County.

20 BY repealing

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Courts and Judicial Proceedings
 2 Section 2–309(y)
 3 Annotated Code of Maryland
 4 (2006 Replacement Volume)

5 BY adding to
 6 Article – Courts and Judicial Proceedings
 7 Section 2–309(y)
 8 Annotated Code of Maryland
 9 (2006 Replacement Volume)

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

12 **Article – Courts and Judicial Proceedings**

13 2–309.

14 [(y) (1) The Sheriff of Worcester County shall receive a salary as set by the
 15 County Commissioners of at least \$17,500. He shall appoint at least four deputies at
 16 salaries of at least \$6,500 each, a clerk–typist, and additional deputies, clerks, cooks
 17 and jailers at the compensation set by the County Commissioners.

18 (2) The County Commissioners of Worcester County shall pay the cost
 19 of all necessary expenses for the operation of the Worcester County jail, the Sheriff
 20 and his staff, including, but not limited to, five automobiles, automobile operating
 21 expenses, radio equipment, weapons, ammunitions, office supplies, office equipment,
 22 uniforms, and all traveling expenses of the Sheriff and his staff while out of the county
 23 on official business.]

24 **(Y) (1) (I) THE SHERIFF OF WORCESTER COUNTY SHALL RECEIVE**
 25 **AN ANNUAL SALARY AS SET BY THE COUNTY COMMISSIONERS OF AT LEAST**
 26 **\$85,000.**

27 **(II) THE SHERIFF SHALL APPOINT AT LEAST ONE CHIEF**
 28 **DEPUTY SHERIFF AND AS MANY DEPUTY SHERIFFS AND OTHER PERSONNEL AS**
 29 **ARE NECESSARY TO PERFORM THE DUTIES OF THE OFFICE AND ARE PROVIDED**
 30 **FOR IN THE COUNTY BUDGET.**

31 **(2) THE COUNTY COMMISSIONERS OF WORCESTER COUNTY**
 32 **SHALL PAY ALL NECESSARY EXPENSES OF THE OPERATION OF THE SHERIFF’S**

1 OFFICE THROUGH THE COUNTY BUDGET ADOPTED IN ACCORDANCE WITH ALL
2 APPLICABLE LAWS AND BUDGET PROCEDURES AND SUBJECT TO ALL
3 APPLICABLE BUDGET REVIEWS.

4 (3) (I) THE CHIEF DEPUTY SHERIFF SHALL SERVE AT THE
5 PLEASURE OF THE SHERIFF.

6 (II) IF A CHIEF DEPUTY SHERIFF WHO WAS A WORCESTER
7 COUNTY DEPUTY SHERIFF PRIOR TO BEING APPOINTED AS CHIEF DEPUTY IS
8 REMOVED FROM THE OFFICE OF CHIEF DEPUTY FOR OTHER THAN CAUSE, THAT
9 PERSON SHALL REVERT TO A DEPUTY SHERIFF WITH THE SAME STATUS THAT
10 THE PERSON HAD PRIOR TO THE PERSON'S APPOINTMENT AS CHIEF DEPUTY.

11 (III) IF A CHIEF DEPUTY SHERIFF WHO WAS NOT A
12 WORCESTER COUNTY DEPUTY SHERIFF PRIOR TO BEING APPOINTED AS CHIEF
13 DEPUTY IS REMOVED FROM THE OFFICE OF CHIEF DEPUTY FOR ANY REASON,
14 THAT PERSON MAY NOT AUTOMATICALLY REVERT TO A DEPUTY SHERIFF AFTER
15 BEING REMOVED AS CHIEF DEPUTY.

16 (4) (I) EXCEPT AS PROVIDED IN THIS SUBSECTION, THE
17 PERSONNEL RULES AND REGULATIONS OF WORCESTER COUNTY AS ADOPTED
18 BY THE COUNTY COMMISSIONERS SHALL APPLY TO ALL EMPLOYEES OF THE
19 SHERIFF OF WORCESTER COUNTY OTHER THAN THE CHIEF DEPUTY SHERIFF,
20 INCLUDING DEPUTY SHERIFFS, CLERKS, TYPISTS, ANIMAL CONTROL OFFICERS,
21 AND OTHER NECESSARY PERSONNEL.

22 (II) THE APPOINTMENT, DISCIPLINARY, AND MANAGERIAL
23 FUNCTIONS OF THE COUNTY COMMISSIONERS AS PROVIDED FOR IN THE
24 PERSONNEL RULES AND REGULATIONS OF WORCESTER COUNTY SHALL BE
25 PERFORMED BY THE SHERIFF IN THE CASE OF ALL EMPLOYEES OF THE
26 SHERIFF'S OFFICE.

27 (5) THE SHERIFF MAY ADOPT SHERIFF'S OFFICE MANUALS,
28 ADDITIONAL RULES OF CONDUCT, DRESS, AND DECORUM, AND OTHER
29 PROCEDURES THAT SHALL APPLY TO ALL EMPLOYEES AND SHALL BE
30 CONDITIONS OF EMPLOYMENT WITH THE SHERIFF'S OFFICE.

31 (6) AN EMPLOYEE OF THE SHERIFF'S OFFICE OTHER THAN THE
32 CHIEF DEPUTY SHERIFF OR A PROBATIONARY EMPLOYEE MAY BE DISCIPLINED

1 **OR TERMINATED FOR CAUSE ONLY IN ACCORDANCE WITH THE PROVISIONS OF**
2 **THIS SUBSECTION, THE REGULATIONS REFERRED TO IN THIS SUBSECTION, OR**
3 **THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS.**

4 **(7) WHEN A NEW SHERIFF TAKES OFFICE, OR AT THE BEGINNING**
5 **OF A NEW TERM OF OFFICE OF A SHERIFF, ALL DEPUTIES OTHER THAN THE**
6 **CHIEF DEPUTY AND ALL OTHER EMPLOYEES IN GOOD STANDING SHALL REMAIN**
7 **IN THEIR POSITIONS AND SHALL BE CONSIDERED REAPPOINTED OR**
8 **REDEPUTIZED, SUBJECT TO THE PROVISIONS OF THIS SUBSECTION AND TO THE**
9 **EXTENT REQUIRED. A SHERIFF MAY NOT REFUSE TO REAPPOINT AND**
10 **REDEPUTIZE A DEPUTY SHERIFF WITHOUT CAUSE.**

11 **(8) AT THE REQUEST OF THE SHERIFF, THE COUNTY**
12 **COMMISSIONERS MAY PROVIDE IN-KIND SUPPORT TO THE SHERIFF RELATING**
13 **TO PERSONNEL MATTERS.**

14 **(9) THE SHERIFF SHALL HAVE COMPLETE CONTROL OVER THE**
15 **EMPLOYEES OF THE SHERIFF'S OFFICE, SUBJECT ONLY TO THE PROVISIONS OF**
16 **THIS SUBSECTION AND THE REASONABLE APPLICATION OF THE PERSONNEL**
17 **RULES AND REGULATIONS OF WORCESTER COUNTY AND THE PROTECTIONS**
18 **AND BENEFITS THOSE POLICIES PROVIDE.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
20 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
21 the salary or compensation of the Sheriff of Worcester County in office on the effective
22 date of this Act, but the provisions of this Act concerning the salary or compensation of
23 the Sheriff of Worcester County shall take effect at the beginning of the next following
24 term of office.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2007.