

CHAPTER 233

(House Bill 323)

AN ACT concerning

Worcester County – Sheriff’s Office – Personnel Policies

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

BY repealing

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

BY adding to

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

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

Article – Courts and Judicial Proceedings

2–309.

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

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

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

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

(2) THE COUNTY COMMISSIONERS OF WORCESTER COUNTY SHALL PAY ALL NECESSARY EXPENSES OF THE OPERATION OF THE SHERIFF’S OFFICE THROUGH THE COUNTY BUDGET ADOPTED IN ACCORDANCE WITH ALL APPLICABLE LAWS AND BUDGET PROCEDURES AND SUBJECT TO ALL APPLICABLE BUDGET REVIEWS.

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

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

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

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

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

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

(6) AN EMPLOYEE OF THE SHERIFF'S OFFICE OTHER THAN THE CHIEF DEPUTY SHERIFF OR A PROBATIONARY EMPLOYEE MAY BE DISCIPLINED OR TERMINATED FOR CAUSE ONLY IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBSECTION, THE REGULATIONS REFERRED TO IN THIS SUBSECTION, OR THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS.

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

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

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

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

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

Approved by the Governor, April 24, 2007.