

SENATE BILL 659

L2

EMERGENCY BILL
ENROLLED BILL

(8lr2889)

—*Judicial Proceedings / Environmental Matters*—

Introduced by **Carroll County Senators**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Carroll County – Local Ordinance Creating a County Police**
3 **Department – Submission to Local Referendum**

4 FOR the purpose of requiring the County Commissioners of Carroll County to submit
5 an ordinance to a certain referendum under certain circumstances; requiring
6 the County Commissioners to take certain actions to provide for and hold a
7 certain referendum under certain circumstances; making the provisions of a
8 certain local law effective on a certain date under certain circumstances;
9 prohibiting the implementation of a certain local law under certain
10 circumstances; making this Act an emergency measure; *providing for the*
11 *termination of this Act*; and generally relating to a local referendum on the
12 creation of a police department for Carroll County.

13 BY repealing and reenacting, with amendments,
14 Article 25 – County Commissioners

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.

Italics indicate opposite chamber / conference committee amendments.



1 Section 3(q)
2 Annotated Code of Maryland
3 (2005 Replacement Volume and 2007 Supplement)

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

6 **Article 25 – County Commissioners**

7 3.

8 (q) (1) To provide for the appointment of county police and to prescribe
9 their duties and fix their compensation, but said commissioners may appoint a special
10 commission or commissioner to be in charge of said county police.

11 (2) The provisions of this subsection shall not be applicable in Charles
12 and Wicomico counties.

13 (3) (I) IF THE BOARD OF COUNTY COMMISSIONERS OF
14 CARROLL COUNTY ENACTS, BY ORDINANCE, A LOCAL LAW THAT CREATES A
15 POLICE DEPARTMENT FOR CARROLL COUNTY, THE COUNTY COMMISSIONERS
16 SHALL SUBMIT THE ORDINANCE TO A LOCAL REFERENDUM OF THE LEGALLY
17 QUALIFIED VOTERS OF CARROLL COUNTY TO BE HELD AT THE NEXT ENSUING
18 GENERAL ELECTION IN THE STATE.

19 (II) 1. THE BOARD OF COUNTY COMMISSIONERS OF
20 CARROLL COUNTY AND THE CARROLL COUNTY BOARD OF ELECTIONS SHALL
21 DO THOSE THINGS NECESSARY AND PROPER TO PROVIDE FOR AND HOLD THE
22 REFERENDUM REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH.

23 2. IF A MAJORITY OF THE VOTES CAST ON THE
24 QUESTION BY THE LEGALLY QUALIFIED VOTERS OF CARROLL COUNTY ARE
25 “FOR THE REFERRED LAW”, THE PROVISIONS OF THE LOCAL LAW CREATING A
26 POLICE DEPARTMENT FOR CARROLL COUNTY SHALL BECOME EFFECTIVE ON
27 THE 30TH DAY FOLLOWING THE OFFICIAL CANVASS OF VOTES FOR THE
28 REFERENDUM.

29 3. IF A MAJORITY OF THE VOTES CAST ON THE
30 QUESTION BY THE LEGALLY QUALIFIED VOTERS OF CARROLL COUNTY ARE
31 “AGAINST THE REFERRED LAW”, THE PROVISIONS OF THE LOCAL LAW
32 CREATING A POLICE DEPARTMENT FOR CARROLL COUNTY ARE OF NO EFFECT
33 AND NULL AND VOID.

34 (III) IF THE BOARD OF COUNTY COMMISSIONERS OF
35 CARROLL COUNTY ENACTS, BY ORDINANCE, A LOCAL LAW THAT CREATES A

1 POLICE DEPARTMENT FOR CARROLL COUNTY BEFORE THE PROVISIONS OF
2 THIS PARAGRAPH TAKE EFFECT, THE ORDINANCE SHALL HAVE NO EFFECT AND
3 MAY NOT BE IMPLEMENTED.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
5 measure, is necessary for the immediate preservation of the public health or safety,
6 has been passed by a yea and nay vote supported by three-fifths of all members
7 elected to each of the two Houses of the General Assembly, and shall take effect from
8 the date it is enacted. It shall remain effective through December 31, 2010 and, at the
9 end of December 31, 2010, with no further action required by the General Assembly,
10 this Act shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.