

# SENATE BILL 659

L2

EMERGENCY BILL

8lr2889

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By: **Carroll County Senators**

Introduced and read first time: February 1, 2008

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 19, 2008

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## 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; and generally relating  
11 to a local referendum on the creation of a police department for Carroll County.

12 BY repealing and reenacting, with amendments,  
13 Article 25 - County Commissioners  
14 Section 3(q)  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume and 2007 Supplement)

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

19 **Article 25 - County Commissioners**

20 3.

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

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

6 (3) (I) IF THE BOARD OF COUNTY COMMISSIONERS OF  
7 CARROLL COUNTY ENACTS, BY ORDINANCE, A LOCAL LAW THAT CREATES A  
8 POLICE DEPARTMENT FOR CARROLL COUNTY, THE COUNTY COMMISSIONERS  
9 SHALL SUBMIT THE ORDINANCE TO A LOCAL REFERENDUM OF THE LEGALLY  
10 QUALIFIED VOTERS OF CARROLL COUNTY TO BE HELD AT THE NEXT ENSUING  
11 GENERAL ELECTION IN THE STATE.

12 (II) 1. THE BOARD OF COUNTY COMMISSIONERS OF  
13 CARROLL COUNTY AND THE CARROLL COUNTY BOARD OF ELECTIONS SHALL  
14 DO THOSE THINGS NECESSARY AND PROPER TO PROVIDE FOR AND HOLD THE  
15 REFERENDUM REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH.

16 2. IF A MAJORITY OF THE VOTES CAST ON THE  
17 QUESTION BY THE LEGALLY QUALIFIED VOTERS OF CARROLL COUNTY ARE  
18 "FOR THE REFERRED LAW", THE PROVISIONS OF THE LOCAL LAW CREATING A  
19 POLICE DEPARTMENT FOR CARROLL COUNTY SHALL BECOME EFFECTIVE ON  
20 THE 30TH DAY FOLLOWING THE OFFICIAL CANVASS OF VOTES FOR THE  
21 REFERENDUM.

22 3. IF A MAJORITY OF THE VOTES CAST ON THE  
23 QUESTION BY THE LEGALLY QUALIFIED VOTERS OF CARROLL COUNTY ARE  
24 "AGAINST THE REFERRED LAW", THE PROVISIONS OF THE LOCAL LAW  
25 CREATING A POLICE DEPARTMENT FOR CARROLL COUNTY ARE OF NO EFFECT  
26 AND NULL AND VOID.

27 (III) IF THE BOARD OF COUNTY COMMISSIONERS OF  
28 CARROLL COUNTY ENACTS, BY ORDINANCE, A LOCAL LAW THAT CREATES A  
29 POLICE DEPARTMENT FOR CARROLL COUNTY BEFORE THE PROVISIONS OF  
30 THIS PARAGRAPH TAKE EFFECT, THE ORDINANCE SHALL HAVE NO EFFECT AND  
31 MAY NOT BE IMPLEMENTED.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
33 measure, is necessary for the immediate preservation of the public health or safety,  
34 has been passed by a yea and nay vote supported by three-fifths of all members  
35 elected to each of the two Houses of the General Assembly, and shall take effect from  
36 the date it is enacted.