

HOUSE BILL 625

D2

9lr1669

By: **Washington County Delegation**

Introduced and read first time: February 6, 2009

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County - Office of the Sheriff - Special Deputy Sheriffs and**
3 **Deputized Individuals**

4 FOR the purpose of authorizing the Sheriff of Washington County to assign special
5 deputy sheriffs to duties in areas of the county other than the municipality
6 where the special deputy sheriff is a member of the police force; authorizing the
7 Sheriff of Washington County, in an emergency, to deputize temporarily any
8 able-bodied citizen to assist in carrying out the duties of the Sheriff's office;
9 requiring the County Commissioners of Washington County to provide certain
10 compensation to an individual deputized under certain circumstances; providing
11 that an individual deputized under certain circumstances may remain
12 deputized only for a certain period of time; making certain clarifying changes;
13 and generally relating to the office of the Sheriff of Washington County.

14 BY repealing and reenacting, with amendments,
15 Article - Courts and Judicial Proceedings
16 Section 2-309(w)(4)
17 Annotated Code of Maryland
18 (2006 Replacement Volume and 2008 Supplement)

19 BY adding to
20 Article - Courts and Judicial Proceedings
21 Section 2-309(w)(5)
22 Annotated Code of Maryland
23 (2006 Replacement Volume and 2008 Supplement)

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

26 **Article - Courts and Judicial Proceedings**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2-309.

2 (w) (4) (i) The Sheriff of Washington County may appoint special
3 deputy sheriffs, including members of the police force of a Washington County
4 municipality who are:

5 1. Selected by the chief of police of the municipality; and

6 2. Verified by the chief of police of the municipality as
7 having achieved at least the minimum level of training for police duties in a
8 municipality as designated by the Maryland Police Training Commission.

9 (ii) The appointment of special deputy sheriffs is subject to the
10 following conditions:

11 1. The Sheriff shall assign the special deputy sheriff who
12 is a member of the police force to duties in the municipality where the special deputy
13 sheriff is a member of the police force[, or in the surrounding area] **OR TO DUTIES IN**
14 **OTHER AREAS OF THE COUNTY;**

15 2. The Sheriff may terminate the appointment of the
16 special deputy sheriff for cause or on completion of the assignment for which [he] **THE**
17 **SPECIAL DEPUTY SHERIFF** was appointed;

18 3. The special deputy sheriff is not an employee of
19 Washington County for the purpose of employment security or employee benefits; and

20 4. County liability insurance shall be provided to a
21 special deputy sheriff only when [he] **THE SPECIAL DEPUTY SHERIFF** is acting
22 within [his] **THE SPECIAL DEPUTY SHERIFF'S** official duties **AS SPECIAL DEPUTY**
23 **SHERIFF.**

24 (5) (I) **IN CASE OF EMERGENCY, THE SHERIFF OF**
25 **WASHINGTON COUNTY MAY DEPUTIZE TEMPORARILY ANY ABLE-BODIED**
26 **CITIZEN TO ASSIST THE SHERIFF IN CARRYING OUT THE DUTIES OF THE**
27 **SHERIFF'S OFFICE.**

28 (II) **THE COUNTY COMMISSIONERS OF WASHINGTON**
29 **COUNTY SHALL PROVIDE REASONABLE COMPENSATION FOR AN INDIVIDUAL**
30 **DEPUTIZED UNDER THIS PARAGRAPH.**

31 (III) **AN INDIVIDUAL DEPUTIZED UNDER THIS PARAGRAPH**
32 **MAY REMAIN DEPUTIZED ONLY FOR AS LONG AS THE SHERIFF DETERMINES THE**
33 **EMERGENCY REQUIRES THE INDIVIDUAL'S SERVICE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2009.