

# HOUSE BILL 625

D2

9lr1669

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By: **Washington County Delegation**

Introduced and read first time: February 6, 2009

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2009

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## CHAPTER \_\_\_\_\_

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)~~

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

3 **Article – Courts and Judicial Proceedings**

4 2–309.

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

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

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

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

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

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

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

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

27 ~~(5) (i) IN CASE OF EMERGENCY, THE SHERIFF OF~~  
28 ~~WASHINGTON COUNTY MAY DEPUTIZE TEMPORARILY ANY ABLE BODIED~~  
29 ~~CITIZEN TO ASSIST THE SHERIFF IN CARRYING OUT THE DUTIES OF THE~~  
30 ~~SHERIFF'S OFFICE.~~

31 ~~(ii) THE COUNTY COMMISSIONERS OF WASHINGTON~~  
32 ~~COUNTY SHALL PROVIDE REASONABLE COMPENSATION FOR AN INDIVIDUAL~~  
33 ~~DEPUTIZED UNDER THIS PARAGRAPH.~~

1                                   ~~(III) AN INDIVIDUAL DEPUTIZED UNDER THIS PARAGRAPH~~  
2 ~~MAY REMAIN DEPUTIZED ONLY FOR AS LONG AS THE SHERIFF DETERMINES THE~~  
3 ~~EMERGENCY REQUIRES THE INDIVIDUAL'S SERVICE.~~

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.