

# HOUSE BILL 1219

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9lr1668

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By: **Washington County Delegation**

Introduced and read first time: February 13, 2009

Assigned to: Environmental Matters

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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 – Sheriff – Salary**

3 FOR the purpose of requiring the Board of County Commissioners to set the salary of  
4 the Sheriff of Washington County beginning on a certain date, subject to certain  
5 limitations and within a certain period of time of receiving certain  
6 recommendations; altering the salary of the Sheriff of Washington County;  
7 providing that this Act does not apply to the salary or compensation of the  
8 incumbent Sheriff of Washington County; and generally relating to the Sheriff  
9 of Washington County.

10 BY repealing and reenacting, with amendments,  
11 Article 24 – Political Subdivisions – Miscellaneous Provisions  
12 Section 12–205  
13 Annotated Code of Maryland  
14 (2005 Replacement Volume and 2008 Supplement)

15 BY adding to  
16 Article 24 – Political Subdivisions – Miscellaneous Provisions  
17 Section 12–206  
18 Annotated Code of Maryland  
19 (2005 Replacement Volume and 2008 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article – Courts and Judicial Proceedings  
22 Section 2–309(w)(1)  
23 Annotated Code of Maryland

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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.



(2006 Replacement Volume and 2008 Supplement)

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

**Article 24 – Political Subdivisions – Miscellaneous Provisions**

12–205.

(a) The Commission shall study the salaries of the Washington County:

(1) Board of County Commissioners;

(2) Board of Education;

(3) Orphans' Court judges;

(4) Sheriff;

(5) State's Attorney;

(6) Treasurer;

(7) Board of Supervisors of Elections; and

(8) Board of Liquor License Commissioners.

(b) (1) On or before November 20, 1996, and on or before December 1 each fourth year thereafter, the Commission shall issue a report containing recommendations to the Board of County Commissioners for review and consideration. The Board of County Commissioners may accept, reduce, or reject but may not increase the recommendations of the Commission.

(2) (I) **BEGINNING JANUARY 1, 2012, THIS PARAGRAPH DOES NOT APPLY TO THE COMMISSION'S RECOMMENDATIONS FOR THE SHERIFF'S SALARY.**

(II) On or before December 15, 1996, and on or before December 15 each fourth year thereafter, the Board of County Commissioners shall submit recommendations to the legislative delegation concerning the salaries of the offices in subsection (a) of this section.

12–206.

(A) **BEGINNING JANUARY 1, 2012, WITHIN 45 DAYS AFTER RECEIVING THE RECOMMENDATIONS OF THE COMMISSION FOR THE SHERIFF'S SALARY,**

1 THE COUNTY COMMISSIONERS SHALL SET BY LOCAL LAW THE SALARY FOR THE  
2 SHERIFF INCLUDED IN THE RECOMMENDATIONS:

3 (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION; AND

4 (2) IN ACCORDANCE WITH ARTICLE III, § 35 OF THE MARYLAND  
5 CONSTITUTION.

6 (B) THE COUNTY COMMISSIONERS MAY ACCEPT, REDUCE, OR REJECT  
7 BUT MAY NOT INCREASE THE RECOMMENDATIONS OF THE COMMISSION.

8 **Article – Courts and Judicial Proceedings**

9 2–309.

10 (w) (1) (i) 1. The Sheriff of Washington County shall receive a  
11 salary of [\$80,000] **\$88,000**.

12 **2. ~~IN CALENDAR YEAR 2015 AND FOR THE TERM OF~~**  
13 **~~OFFICE FOR THE SHERIFF THAT BEGINS IN FISCAL YEAR 2015 AND FOR EACH~~**  
14 **~~TERM OF OFFICE THEREAFTER, THE SHERIFF SHALL RECEIVE THE SALARY SET~~**  
15 **~~BY THE COUNTY COMMISSIONERS IN ACCORDANCE WITH ARTICLE 24, TITLE~~**  
16 **~~12, SUBTITLE 2 OF THE CODE.~~**

17 (ii) The Sheriff shall appoint a chief deputy at a salary level set  
18 by the County Commissioners.

19 (iii) The Sheriff may appoint deputy sheriffs and other personnel  
20 necessary to perform the duties of office at salary levels set by the County  
21 Commissioners in accordance with the county's budgetary process.

22 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §  
23 35 of the Maryland Constitution, this Act may not be construed to extend or apply to  
24 the salary or compensation of the Sheriff of Washington County in office on the  
25 effective date of this Act, but the provisions of this Act concerning the salary or  
26 compensation of the Sheriff of Washington County shall take effect at the beginning of  
27 the next following term of office.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2009.