

# HOUSE BILL 260

P4

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By: **Chair, Appropriations Committee (By Request – Departmental – Budget and Management)**

Introduced and read first time: January 25, 2010

Assigned to: Appropriations

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Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2010

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

1 AN ACT concerning

2 **State Personnel – Classification of Positions in the State Personnel**  
3 **Management System**

4 FOR the purpose of requiring the Secretary of Budget and Management to classify  
5 certain positions in the State Personnel Management System; repealing a  
6 provision of law that requires the Secretary to provide certain training  
7 regarding certain standards and procedures; requiring the Secretary to provide  
8 certain advice; authorizing the Secretary to delegate authority to the head of a  
9 principal unit to classify positions for the principal unit under certain  
10 circumstances; requiring the head of a principal unit to classify certain positions  
11 if the Secretary delegates classification authority to the head of the principal  
12 unit; altering the circumstances under which the Secretary must conduct  
13 position classification audits; authorizing, instead of requiring, the Secretary to  
14 conduct certain operational audits; making clarifying and conforming changes;  
15 and generally relating to the classification of positions in the State Personnel  
16 Management System.

17 BY repealing and reenacting, with amendments,  
18 Article – State Personnel and Pensions  
19 Section 4–202 and 4–203  
20 Annotated Code of Maryland  
21 (2009 Replacement Volume and 2009 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 – State Personnel and Pensions**

4 4–202.

5 The Secretary shall:

6 (1) **CLASSIFY SKILLED SERVICE POSITIONS, PROFESSIONAL**  
7 **SERVICE POSITIONS, MANAGEMENT SERVICE POSITIONS, AND EXECUTIVE**  
8 **SERVICE POSITIONS;**

9 (2) establish standards and general procedures to be used to classify  
10 positions in the skilled service, professional service, management service, and  
11 executive service; and

12 [(2)] (3) provide [training] **ADVICE** and guidance on the use of those  
13 standards and procedures.

14 4–203.

15 (a) (1) **THE SECRETARY MAY DELEGATE AUTHORITY TO THE HEAD**  
16 **OF A PRINCIPAL UNIT TO CLASSIFY POSITIONS FOR THE PRINCIPAL UNIT IN**  
17 **ACCORDANCE WITH STANDARDS AND PROCEDURES ESTABLISHED BY THE**  
18 **SECRETARY IN ACCORDANCE WITH § 4–202(2) OF THIS SUBTITLE.**

19 (2) [The] **IF THE SECRETARY DELEGATES CLASSIFICATION**  
20 **AUTHORITY TO THE HEAD OF A PRINCIPAL UNIT UNDER PARAGRAPH (1) OF THIS**  
21 **SUBSECTION, THE** head of [a] **THE** principal unit shall:

22 (I) submit for the Secretary’s approval a position classification  
23 plan for classifying positions in the **PRINCIPAL** unit that are in the skilled service,  
24 professional service, and management service[.]; **AND**

25 [(b) The head of a principal unit or designee shall]

26 (II) classify skilled service positions, professional service  
27 positions, and management service positions in the **PRINCIPAL** unit in accordance  
28 with the approved classification plan.

29 [(c)] (B) (1) Each employee in a position shall assume the classification  
30 title given the class to which that position belongs.

31 (2) The Secretary, the Comptroller, and the Treasurer shall use these  
32 classification titles in all relevant records and communications.

1           **[(d) (C)]** To ensure that positions in the State Personnel Management  
2 System are classified properly, the Secretary:

3                   (1) shall conduct position classification audits at least once every 3  
4 years **FOR ANY CLASSIFICATION ACTIVITY PERFORMED IN ACCORDANCE WITH**  
5 **SUBSECTION (A)(2) OF THIS SECTION;** and

6                   (2) **[shall] MAY** conduct operational audits of classification practices  
7 and records in **PRINCIPAL** units at least once every 3 years.

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 July 1, 2010.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.