

# HOUSE BILL 665

P4

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By: **Delegates DeBoy, Barkley, Beidle, Frick, Lafferty, B. Robinson, and Sophocleus**

Introduced and read first time: February 1, 2013

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Law Enforcement Employees – Extra Compensation**

3 FOR the purpose of providing that a law enforcement employee of any unit of State  
4 government, instead of only certain law enforcement employees of the  
5 Department of State Police and the Department of Natural Resources, who  
6 works on certain holidays is entitled to certain extra compensation; and  
7 generally relating to the compensation of law enforcement employees.

8 BY repealing and reenacting, with amendments,  
9 Article – State Personnel and Pensions  
10 Section 8–308  
11 Annotated Code of Maryland  
12 (2009 Replacement Volume and 2012 Supplement)

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

15 **Article – State Personnel and Pensions**

16 8–308.

17 (a) Except as provided in § 8–305(c) of this subtitle, a law enforcement  
18 employee of any unit of State government or a State Police cadet who works more than  
19 8 hours in a normal 8–hour workday is entitled to be paid at the rate of one and  
20 one–half times the employee’s or cadet’s regular hourly rate of pay for time worked in  
21 excess of 8 hours.

22 (b) (1) In this subsection, “off–duty hours” means any hours:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) during a law enforcement employee's scheduled off-duty  
2 day; or

3 (ii) during a law enforcement employee's on-duty day after the  
4 employee has gone off duty.

5 (2) Except as otherwise provided in this subsection, a law enforcement  
6 employee of any unit of State government who is called to duty on the employee's  
7 scheduled off-duty day is entitled to be paid at the rate of one and one-half times the  
8 employee's regular hourly rate of pay for each hour worked on the off-duty day.

9 (3) Except as provided in paragraph (4) of this subsection, a law  
10 enforcement employee of the Department of State Police holding a noncommissioned  
11 rank or a law enforcement employee of the Department of Natural Resources holding a  
12 rank of sergeant or below, park ranger supervisor or below, or park services supervisor  
13 or below who is called to duty during the employee's off-duty hours is entitled to be  
14 paid at the rate of one and one-half times the employee's regular hourly rate of pay for  
15 the greater of:

16 (i) the hours worked during the off-duty hours; or

17 (ii) 4 hours.

18 (4) A law enforcement employee of the Department of State Police  
19 holding a noncommissioned rank or a law enforcement employee of the Department of  
20 Natural Resources holding a rank of sergeant or below who makes an appearance in  
21 court on official duty during the employee's off-duty hours is entitled to be paid at the  
22 rate of one and one-half times the employee's regular hourly rate of pay for the  
23 greater of:

24 (i) the hours worked during the off-duty hours; or

25 (ii) 2 hours.

26 (c) A law enforcement employee of [the Department of State Police holding a  
27 noncommissioned rank, a law enforcement employee of the Department of Natural  
28 Resources holding a rank of sergeant or below] **ANY UNIT OF STATE GOVERNMENT**,  
29 or a police communications operator of the Department of State Police or Natural  
30 Resources Police who is required to work 4 or more hours on New Year's Day,  
31 Thanksgiving Day, or Christmas Day, or who is scheduled to be off duty on New Year's  
32 Day, Thanksgiving Day, or Christmas Day and is called to duty on any part of that  
33 day is entitled to:

34 (1) compensatory time of 1 day; and

35 (2) payment at the rate of one and one-half times the employee's  
36 regular hourly rate of pay for each hour worked on that day.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2013.