

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 868

(Senator Benson, *et al.*)

Finance and Judicial Proceedings

Rules and Executive Nominations

Public Safety Diversity Act of 2014

This bill requires the Department of State Police (DSP), when it advertises for or recruits new employees, to include advertising that is targeted toward racial and ethnic communities or other individuals who are underrepresented in the DSP workforce. The bill requires the DSP fair practices officer to be an expert in diversity issues and equal employment law, procedures, and practices. The DSP fair practices officer must report directly to the Secretary of State Police and may not be a sworn law enforcement officer.

By December 1 each year, DSP must report to specified legislative committees on initiatives DSP has employed to improve diversity in recruitment and the outcome of those initiatives. The bill's reporting requirement terminates September 30, 2017.

Fiscal Summary

State Effect: None. The bill's requirements can be handled with the existing budgeted resources of DSP. The changes are procedural in nature. The Department of Budget and Management reports that the bill's changes do not affect the operations of the Office of Personnel Services and Benefits.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: In accordance with the State budget, the Secretary of State Police must appoint the employees that the Secretary considers necessary for the efficient administration of DSP. The Secretary must make each appointment from a list of eligible candidates in accordance with the State Personnel and Pensions Article. Each appointee must (1) be a resident of the State on the date of appointment and (2) have the character, education, and other qualifications established by the Secretary.

All promotions must be made by the Secretary of State Police. A DSP promotion to a rank other than deputy secretary must be made in the manner required by rule. For a noncommissioned rank that has fewer than 25 police employees, the Secretary by rule may direct that it is unnecessary to fill the noncommissioned rank for purposes of promotion. This does not apply to a rank that requires technical knowledge. With certain exceptions, a police employee may not be appointed or promoted to a rank unless specified conditions are met. Promotions of civilian employees must be made in accordance with the State Personnel and Pensions Article.

The State's Equal Employment Opportunity (EEO) program is under the authority of the Secretary of Budget and Management and is administered and enforced by an EEO coordinator. The purpose of the EEO program is to ensure a system that provides equal opportunity in employment on the basis of merit and fitness. It covers all employees in any Executive Branch agency (including those with an independent personnel system) and applicants for a position in the skilled, professional, and management services in the State Personnel Management System (or comparable positions in agencies with independent personnel systems).

The head of each principal unit of State government must appoint a fair practices officer who reports directly to the head of the unit and is an assistant secretary or an employee of the unit with stature similar to that of an assistant secretary. The head of each principal unit must also appoint an appropriate number of EEO officers for the unit. If necessary, the fair practices officer of a unit may also be the unit's EEO officer. The fair practices officer implements the State's EEO program, investigates and resolves complaints, and coordinates EEO officer activities. An EEO officer monitors all personnel actions, attests that EEO procedures were followed in personnel actions, and performs other assigned duties.

Additional Information

Prior Introductions: None.

Cross File: HB 1349 (Delegate Braveboy, *et al.*) - Health and Government Operations and Appropriations.

Information Source(s): Department of Budget and Management, Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2014
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Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510