

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 167
Appropriations

(Delegate McCray, *et al.*)

Finance

Counties and Municipalities - At-Will Supervisory Employees - Residency
Requirements

This bill authorizes a county or municipality to require an at-will supervisory employee to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment if the at-will supervisory employee reports directly to the head of a unit of the county or municipality. The bill applies prospectively to any local law, ordinance, or policy enacted or adopted and may not be applied or interpreted to have any effect on or application to the continued employment of any individual employed by a county or municipality before the effective date of the local law, ordinance, or policy enacted or adopted by the county or municipality.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill is authorizing in nature and does not materially affect local government finances.

Small Business Effect: None.

Analysis

Current Law: A county or municipality may not require an employee to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment. This restriction does not apply to (1) an elected official; (2) the head of a unit of a county or municipality who reports directly to the chief

administrative officer, an elected executive, or the governing body of the county or municipality; or (3) the chief administrative officer of the county or municipality.

Background: The Maryland Association of Counties (MACo) advises that some counties have residency requirements for certain county offices such as county administrator and/or department heads. MACo reports that Caroline County requires the county administrator, the public information officer, and all department directors to reside within the county. Garrett and Kent counties also require the county administrator to live within their respective county. Other jurisdictions such as Allegany, Prince George's, and Queen Anne's counties have no residency requirements.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore, Dorchester, Garrett, and Montgomery counties; Maryland Association of Counties; cities of Frederick and Havre de Grace; Maryland Municipal League; Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2017
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