

HB0609/923723/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 609
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Pendergrass**” and substitute “, **Pendergrass, Bhandari, Carr, Hill, Kerr, Landis, and R. Lewis**”; and after line 12, insert:

“BY repealing and reenacting, with amendments,
Article - State Personnel and Pensions
Section 11-305
Annotated Code of Maryland
(2015 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 29, strike “**INCOMPETENCY**” and substitute “**INCOMPETENCE**”.

On page 3, in line 22, strike “**PUBLICLY**”; in line 23, strike “, **WHETHER IN PERSON OR BY COUNSEL**”; and after line 26, insert:

“Article – State Personnel and Pensions

11-305.

- (a) **(1)** This section [only] applies ONLY to an employee who is in a position:
- [(1)] (I)** under a special appointment;
 - [(2)] (II)** in the management service; or
 - [(3)] (III)** in the executive service.

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(2) THIS SECTION DOES NOT APPLY TO A HEALTH OFFICER APPOINTED UNDER § 3-302 OF THE HEALTH – GENERAL ARTICLE.

(b) Each employee subject to this section:

(1) serves at the pleasure of the employee’s appointing authority; and

(2) may be terminated from employment for any reason that is not illegal or unconstitutional, solely in the discretion of the appointing authority.

(c) A management service employee or a special appointment employee designated by the Secretary under § 4–201(c)(2)(i) of this article may not be terminated for the purpose of creating a new position for another individual’s appointment because of that individual’s political affiliation, belief, or opinion.

(d) An employee or an employee’s representative may file a written appeal of an employment termination under this section as described under § 11–113 of this title.”.