

# SENATE BILL 767

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5lr1916

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By: **Senator M. Jackson**

Introduced and read first time: January 27, 2025

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 2025

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

1 AN ACT concerning

2 **Calvert County Sheriff – Deputy Sheriffs and Correctional Deputies – Collective**  
3 **Bargaining**

4 FOR the purpose of providing that certain deputy sheriffs and correctional deputies in the  
5 Calvert County Sheriff's Office have the right to organize and negotiate with the  
6 County ~~Commissioners~~ Administrator of Calvert County and the Calvert County  
7 Sheriff with regard to certain wages and employee ~~health care premium share~~  
8 benefits in a certain manner; and generally relating to collective bargaining rights  
9 of Calvert County deputy sheriffs and correctional deputies.

10 BY repealing and reenacting, without amendments,  
11 Article – Courts and Judicial Proceedings  
12 Section 2–318(a)  
13 Annotated Code of Maryland  
14 (2020 Replacement Volume and 2024 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Courts and Judicial Proceedings  
17 Section 2–318(c)(1)  
18 Annotated Code of Maryland  
19 (2020 Replacement Volume and 2024 Supplement)

20 BY adding to  
21 Article – Courts and Judicial Proceedings  
22 Section 2–318(h)

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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 Annotated Code of Maryland  
2 (2020 Replacement Volume and 2024 Supplement)

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

5 **Article – Courts and Judicial Proceedings**

6 2–318.

7 (a) This section applies only in Calvert County.

8 (c) (1) The Sheriff may appoint deputy sheriffs and correctional deputies in  
9 the number and at the salary approved by the County Commissioners **OR PRESCRIBED IN**  
10 **A COLLECTIVE BARGAINING AGREEMENT, AS APPLICABLE, PROVIDED THAT ANY**  
11 **ADDITIONAL FUNDING REQUIRED DUE TO THE COLLECTIVE BARGAINING**  
12 **AGREEMENT IS SUBJECT TO APPROVAL BY THE COUNTY COMMISSIONERS.**

13 **(H) (1) THIS SUBSECTION APPLIES ONLY TO ALL FULL-TIME DEPUTY**  
14 **SHERIFFS AND CORRECTIONAL DEPUTIES IN THE CALVERT COUNTY SHERIFF’S**  
15 **OFFICE AT THE RANK OF MAJOR AND BELOW.**

16 **(2) SWORN DEPUTY SHERIFFS AND CORRECTIONAL DEPUTIES**  
17 **SUBJECT TO THIS SUBSECTION ~~SHALL HAVE THE RIGHT TO ORGANIZE AND~~**  
18 **~~NEGOTIATE WITH THE COUNTY COMMISSIONERS AND THE SHERIFF WITH REGARD~~**  
19 **~~TO WAGES AND EMPLOYEE HEALTH CARE PREMIUM SHARE NOT REGULATED BY THE~~**  
20 **~~SHERIFF.~~**

21 **~~(3) THE TERMS OF ANY AGREEMENT WITH REGARD TO WAGES AND~~**  
22 **~~EMPLOYEE HEALTH CARE PREMIUM SHARE NOT REGULATED BY THE SHERIFF~~**  
23 **~~SHALL BE SET FORTH IN A MEMORANDUM OF AGREEMENT ENTERED INTO BETWEEN~~**  
24 **~~THE SHERIFF, THE COUNTY COMMISSIONERS, AND THE EMPLOYEE ORGANIZATION~~**  
25 **~~THAT IS CERTIFIED AS THE EXCLUSIVE REPRESENTATIVE IN ACCORDANCE WITH A~~**  
26 **~~PROCESS AGREED TO BY THE PARTIES.~~**

27 **~~(4) AN AGREEMENT WITH REGARD TO WAGES AND EMPLOYEE~~**  
28 **~~HEALTH CARE PREMIUM SHARE NOT REGULATED BY THE SHERIFF IS NOT~~**  
29 **~~EFFECTIVE UNTIL THE AGREEMENT IS RATIFIED BY:~~**

30 **~~(i) THE SHERIFF;~~**

31 **~~(ii) THE COUNTY COMMISSIONERS; AND~~**

32 **~~(iii) THE EXCLUSIVE REPRESENTATIVE.~~**

1           ~~(5) A MODIFICATION TO AN EXISTING MEMORANDUM OF AGREEMENT~~  
2 ~~IS NOT VALID UNLESS THE MODIFICATION IS IN WRITING AND RATIFIED BY:~~

3           ~~(I) THE SHERIFF;~~

4           ~~(II) THE COUNTY COMMISSIONERS; AND~~

5           ~~(III) THE EXCLUSIVE REPRESENTATIVE MAY:~~

6           (I) TAKE PART OR REFRAIN FROM TAKING PART IN FORMING,  
7 JOINING, SUPPORTING, OR PARTICIPATING IN A LABOR ORGANIZATION OR ITS  
8 LAWFUL ACTIVITIES;

9           (II) SELECT A LABOR ORGANIZATION AS THEIR EXCLUSIVE  
10 REPRESENTATIVE;

11           (III) ENGAGE IN COLLECTIVE BARGAINING WITH THE SHERIFF  
12 AND THE COUNTY ADMINISTRATOR CONCERNING WAGES AND EMPLOYEE BENEFITS  
13 THROUGH A LABOR ORGANIZATION CERTIFIED AS THEIR EXCLUSIVE  
14 REPRESENTATIVE;

15           (IV) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, ENTER  
16 INTO A COLLECTIVE BARGAINING AGREEMENT, THROUGH THE EXCLUSIVE  
17 REPRESENTATIVE, COVERING THOSE WAGES AND BENEFITS; AND

18           (V) DECERTIFY A LABOR ORGANIZATION AS THEIR EXCLUSIVE  
19 REPRESENTATIVE.

20           (3) ANY ADDITIONAL FUNDING REQUIRED AS A RESULT OF A  
21 NEGOTIATED COLLECTIVE BARGAINING AGREEMENT IS SUBJECT TO APPROVAL BY  
22 THE COUNTY COMMISSIONERS.

23           (4) (I) A LABOR ORGANIZATION SHALL BE DEEMED CERTIFIED AS  
24 THE EXCLUSIVE REPRESENTATIVE IF THE FOLLOWING CONDITIONS ARE MET:

25                   1. A PETITION FOR THE LABOR ORGANIZATION TO BE  
26 RECOGNIZED BY THE SHERIFF IS SIGNED BY AT LEAST 51% OF THE SWORN DEPUTY  
27 SHERIFFS AT THE RANK OF SERGEANT AND BELOW INDICATING THEIR DESIRE TO BE  
28 EXCLUSIVELY REPRESENTED BY THE PETITIONER FOR THE PURPOSE OF  
29 COLLECTIVE BARGAINING; AND

30                   2. THE PETITION IS SUBMITTED TO THE SHERIFF.

1                   (II) IF THE SHERIFF DOES NOT CHALLENGE THE VALIDITY OF  
2 THE PETITION WITHIN 20 CALENDAR DAYS FOLLOWING RECEIPT OF THE PETITION,  
3 THE LABOR ORGANIZATION SHALL BE DEEMED CERTIFIED AS THE EXCLUSIVE  
4 REPRESENTATIVE.

5                   (III) IF THE SHERIFF CHALLENGES THE VALIDITY OF THE  
6 PETITION, THE AMERICAN ARBITRATION ASSOCIATION SHALL BE REQUESTED TO  
7 APPOINT A THIRD-PARTY NEUTRAL ARBITRATOR TO CONDUCT A SECRET BALLOT  
8 ELECTION AND TO CERTIFY WHETHER THE LABOR ORGANIZATION HAS BEEN  
9 SELECTED AS THE EXCLUSIVE REPRESENTATIVE BY A 51% VOTE OF THE SWORN  
10 DEPUTY SHERIFFS AND CORRECTIONAL DEPUTIES WITH THE RANK OF MAJOR AND  
11 BELOW.

12                   (IV) THE COSTS ASSOCIATED WITH THE AMERICAN  
13 ARBITRATION ASSOCIATION AND THE THIRD-PARTY NEUTRAL ARBITRATOR SHALL  
14 BE SHARED EQUALLY BY THE PARTIES.

15                   (5) (I) FOLLOWING THE CERTIFICATION OF AN EXCLUSIVE  
16 REPRESENTATIVE AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE  
17 PARTIES SHALL MEET AT REASONABLE TIMES AND ENGAGE IN COLLECTIVE  
18 BARGAINING IN GOOD FAITH.

19                   (II) THE PARTIES SHALL MAKE EVERY REASONABLE EFFORT TO  
20 CONCLUDE NEGOTIATIONS IN A TIMELY MANNER TO ALLOW FOR INCLUSION BY THE  
21 SHERIFF'S OFFICE OF MATTERS AGREED ON IN ITS BUDGET REQUEST.

22                   (III) THE SHERIFF AND THE COUNTY ADMINISTRATOR MAY NOT  
23 BE REQUIRED TO ENGAGE IN COLLECTIVE BARGAINING NEGOTIATIONS WITH THE  
24 EXCLUSIVE REPRESENTATIVE AFTER THE TIME THAT THE COUNTY  
25 COMMISSIONERS APPROVE THE ANNUAL OPERATING BUDGET WITH REGARD TO  
26 CONDITIONS OF EMPLOYMENT REQUIRING THE APPROPRIATION OF FUNDS IN THE  
27 ANNUAL OPERATING BUDGET.

28                   (6) (I) A COLLECTIVE BARGAINING AGREEMENT SHALL CONTAIN  
29 ALL MATTERS OF AGREEMENT REACHED IN THE COLLECTIVE BARGAINING  
30 PROCESS.

31                   (II) THE AGREEMENT MAY CONTAIN A GRIEVANCE PROCEDURE  
32 PROVIDING FOR NONBINDING ARBITRATION OR GRIEVANCES.

33                   (III) AN AGREEMENT REACHED IN ACCORDANCE WITH THIS  
34 PARAGRAPH SHALL BE IN WRITING AND SIGNED BY THE DESIGNATED  
35 REPRESENTATIVES OF THE PARTIES INVOLVED IN THE COLLECTIVE BARGAINING  
36 PROCESS.

1                   **(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, AN**  
2 **AGREEMENT IS NOT EFFECTIVE UNTIL IT IS RATIFIED BY A MAJORITY OF VOTES**  
3 **CAST BY THE MEMBERS IN THE BARGAINING UNIT, THE SHERIFF, AND THE COUNTY**  
4 **COMMISSIONERS.**

5                   **(V) ADDITIONAL FUNDING, IF ANY, REQUIRED AS A RESULT OF**  
6 **THE AGREEMENT SHALL BE SUBJECT TO APPROVAL BY THE COUNTY**  
7 **COMMISSIONERS.**

8                   **(VI) THE EXCLUSIVE REPRESENTATIVE, THE SHERIFF, AND THE**  
9 **COUNTY ADMINISTRATOR MAY EACH DESIGNATE AT LEAST ONE BUT NOT MORE**  
10 **THAN FOUR INDIVIDUALS FOR REPRESENTATION IN COLLECTIVE BARGAINING**  
11 **NEGOTIATIONS.**

12                   **(VII) AN AGREEMENT IS NOT VALID IF IT EXTENDS FOR LESS**  
13 **THAN 1 YEAR OR MORE THAN 4 YEARS.**

14                   **(7) THIS SUBSECTION MAY NOT BE CONSTRUED AS AUTHORIZING OR**  
15 **OTHERWISE ALLOWING A CORRECTIONAL DEPUTY TO ENGAGE IN A STRIKE AS**  
16 **DEFINED IN § 3-303 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.**

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18   October 1, 2025.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.