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CF HB 1316

By: Senator Hayes

Introduced and read first time: February 5, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

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L	AN	ACT	concerning

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Baltimore City - Police Officers - Promotional Appointments

- 3 FOR the purpose of altering the procedures used by the Police Commissioner of Baltimore
- City to award promotional appointments; authorizing the Commissioner to remove certain applicants from the list of eligible appointees if the Civilian Review Board
- 6 has sustained a certain complaint against the applicant during a certain time period;
- and generally relating to promotional appointments for police officers in Baltimore
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- 9 BY repealing and reenacting, with amendments,
- 10 The Public Local Laws of Baltimore City
- 11 Section 16–10(c)
- 12 Article 4 Public Local Laws of Maryland
- 13 (1979 Edition and 1997 Supplement and 2000 Supplement, as amended)
- 14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 15 That the Laws of Maryland read as follows:

Article 4 – Baltimore City

17 16–10.

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- 18 (c) Those applicants for promotional appointments within the department who possess
- 19 the minimum qualifications and meet the other eligibility criteria established by the
- 20 Commissioner after consultation with the examining authority, as determined by the tests
- 21 and procedures administered pursuant to subsection (a) shall be included on an eligible list
- and procedures administered parsuant to subsection (a) shall be included on an engine inst
- 22 prepared by the examining authority setting forth the names of the successful applicants
- 23 listed in order from the highest to lowest qualifying score.
- When making a promotional appointment within the department, the Commissioner
- 25 shall be required to make such appointment from those applicants who place within the top



or highest [five] TWENTY positions on the eligible list. When an applicant is so appointed, the Commissioner shall be required to fill the next vacancy in the department, if any, from a list of applicants composed of the remaining and available [four] NINETEEN highest candidates on such list, plus the next or [sixth] TWENTY-FIRST highest scoring available applicant appearing on the eligible list.

The procedure herein established for promotional appointment within the department shall be known and designated as the "Rule of [Five] TWENTY" and all subsequent promotional appointments shall be made only in accordance with this procedure until the eligible list is exhausted by such appointments.

No such list, or where the list consists of a combination of more than one eligible list, no part of such list, shall continue in force for longer than one year, unless extended upon request of the Commissioner by the examining authority, but in no event for more than two years, dating from the time that such list was first established.

The Commissioner shall not be empowered to remove the name of an applicant from the list for any reason, except if the applicant is no longer available OR IF, BETWEEN THE TIME THE APPLICANT APPLIED FOR THE PROMOTION AND THE TIME IN WHICH THE APPLICANT IS TO BE SELECTED FOR THE PROMOTION, A MISCONDUCT COMPLAINT FOR WHICH THE PUNISHMENT COULD BE TERMINATION IF FOUND GUILTY HAS BEEN SUSTAINED BY THE BOARD AGAINST THE APPLICANT.

The eligibility lists shall at all times be open to the inspection of the public, and the examination papers and other material used in determining an applicant's eligibility shall be open to inspection of the Commissioner (or his designated representative) or the applicant for promotion.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.