

HOUSE BILL 671

D3

7lr3346
CF SB 544

By: **Delegates Anderson, Branch, Conaway, Glenn, Hayes, Haynes, R. Lewis, Lierman, McCray, McIntosh, Mosby, Oaks, and Rosenberg**

Introduced and read first time: February 1, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2017

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Office of the Baltimore City Sheriff – Positions**

3 FOR the purpose of authorizing the Baltimore City Sheriff to establish a pay scale for
4 certain employees under certain circumstances; ~~requiring~~ authorizing the Sheriff of
5 Baltimore City to appoint an information technology specialist to a certain rank to
6 assess and manage the technology needs of the Sheriff's Office; ~~requiring~~ authorizing
7 the Sheriff of Baltimore City to appoint a chief financial officer to a certain rank to
8 manage the budget, grants, and revenue of the Sheriff's Office; ~~requiring~~ authorizing
9 the Sheriff of Baltimore City to appoint a deputy sheriff to a certain rank and grant
10 a certain salary increase under certain circumstances; ~~increasing the~~ authorizing,
11 under certain circumstances, a certain additional deputy sheriff expense allowance
12 ~~from \$400 to \$600~~; and generally relating to the Office of the Baltimore City Sheriff.

13 BY repealing and reenacting, without amendments,
14 Article – Courts and Judicial Proceedings
15 Section 2–309(a) and (a–1)
16 Annotated Code of Maryland
17 (2013 Replacement Volume and 2016 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Courts and Judicial Proceedings
20 Section 2–309(d)
21 Annotated Code of Maryland
22 (2013 Replacement Volume and 2016 Supplement)

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.



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

Article – Courts and Judicial Proceedings

2–309.

(a) The sheriff of a county and his deputies shall receive the annual salaries provided by this section for performing the duties required of them by the Constitution and the laws of this State. They shall be reimbursed for expenses as provided by law.

(a–1) The government of each county shall furnish an office for the sheriff and pay the necessary expenses for telephones, stationery and for other purposes, and unless otherwise provided by law, shall provide for the necessary traveling expenses of the sheriff for conveying prisoners to any penal institution in the State and other necessary traveling expenses.

(d) (1) (i) In Baltimore City, the Sheriff shall receive an expense allowance of \$750 two times per year and a salary of:

1. \$79,300 in calendar year 2007;

2. \$84,600 in calendar year 2008;

3. \$89,900 in calendar year 2009;

4. \$95,200 in calendar year 2010; and

5. In calendar year 2011 and thereafter, no less than the salary of a Command Staff 2 in the Baltimore City Police Department at the midpoint in the pay scale.

(ii) The Sheriff:

1. Shall appoint an undersheriff or chief deputy sheriff, one assistant sheriff, three deputy sheriff majors, three deputy sheriff captains, six deputy sheriff lieutenants, one secretary sheriff, and one fiscal clerk sheriff; and

2. May appoint up to a maximum of:

A. 9 deputy sheriff sergeants;

B. 103 deputy sheriffs;

C. 2 domestic violence clerks; and

D. 2 domestic violence advocates.

(iii) 1. Except for deputy sheriffs, deputy sheriff sergeants, and deputy sheriff lieutenants, salaries for these employees shall be set by the Secretary of Budget and Management.

2. Salaries for deputy sheriffs shall be set at a rate not less than the salary equivalent to grade 14 of the State pay scale.

3. Salaries for deputy sheriff sergeants shall be set at a rate not less than the salary equivalent to grade 16 of the State pay scale.

4. Salaries for deputy sheriff lieutenants shall be set at a rate not less than the salary equivalent to grade 18 of the State pay scale.

5. THE SHERIFF OF BALTIMORE CITY MAY CREATE A SHERIFF'S OFFICE PAY SCALE FOR THE EMPLOYEES OF THE SHERIFF'S OFFICE, OTHER THAN THE SHERIFF, WHICH ~~MAY NOT~~:

A. ~~MEET~~ MAY MEET OR EXCEED THE SALARY EQUIVALENTS PROVIDED IN SUBSUBPARAGRAPHS 1 THROUGH 4 OF THIS SUBPARAGRAPH; ~~OR~~ BUT

B. ~~EXCEED~~ MAY NOT EXCEED THE SHERIFF'S TOTAL BUDGET AS PROVIDED BY THE ANNUAL ORDINANCE OF ESTIMATES OF BALTIMORE CITY.

(iv) **THE SHERIFF ~~SHALL~~ MAY APPOINT:**

1. **AN INFORMATION TECHNOLOGY SPECIALIST TO THE RANK OF CAPTAIN TO ASSESS AND MANAGE THE TECHNOLOGY NEEDS OF THE SHERIFF'S OFFICE;**

2. **A CHIEF FINANCIAL OFFICER TO THE RANK OF MAJOR TO MANAGE THE BUDGET OF THE SHERIFF'S OFFICE, GRANTS, AND THE REVENUE COLLECTED BY THE SHERIFF'S OFFICE; AND**

3. **A DEPUTY SHERIFF EMPLOYED BY THE SHERIFF'S OFFICE FOR 5 OR MORE YEARS TO THE HONORARY RANK OF DEPUTY SHERIFF CORPORAL WHO SHALL RECEIVE A \$1,000 INCREASE IN SALARY ANNUALLY IF THE PERSON MAINTAINS A SATISFACTORY PERFORMANCE EVALUATION FOR EACH RATING PERIOD.**

(v) In addition to any other compensation received, each deputy sheriff shall receive an expense allowance of ~~1~~\$400 ~~1~~\$600 annually for:

1. Ammunition for practice sessions at the range;

2. Clothing allowance to defray the cost of dry cleaning and maintaining the clothing worn while on duty; and

3. The purchase and maintenance of other items necessary to fulfill duties that currently are not furnished by the Baltimore City Sheriff's Department.

(VI) SUBJECT TO THE ANNUAL BUDGET FOR BALTIMORE CITY, EACH DEPUTY SHERIFF MAY RECEIVE, IN ADDITION TO THE ALLOWANCE PROVIDED UNDER SUBPARAGRAPH (V) OF THIS PARAGRAPH, AN EXPENSE ALLOWANCE NOT EXCEEDING \$200 ANNUALLY FOR THE PURPOSES DESCRIBED IN SUBPARAGRAPH (V) OF THIS PARAGRAPH.

[(v)] ~~(vi)~~ (vii) A deputy sheriff who uses a personal automobile is entitled to a monthly automobile allowance at the same rate paid to other State employees. Any Sheriff who is assigned a city-owned automobile may not receive the monthly automobile expense allowance.

[(vi)] ~~(vii)~~ (viii) The Sheriff's Office shall also have assistants at the compensation provided for in the annual ordinance of estimates of Baltimore City. Provisions shall also be made in the ordinance for the expenses of the Office of the Sheriff, including the purchase and maintenance of motor vehicles.

[(vii)] ~~(viii)~~ (ix) The Mayor and City Council of Baltimore have the same power with respect to the salaries of the Office of the Sheriff as they have under the city charter with respect to the salaries of all municipal departments.

[(viii)] ~~(ix)~~ (x) Employees of the Sheriff's Office, except the Sheriff, shall be selected according to the provisions of the State Personnel and Pensions Article.

(2) The Mayor and City Council shall pay monthly to the Sheriff of Baltimore City one twelfth of the amount provided in the ordinance of estimates for the expenses of the Sheriff's Office. Within 30 days after June 30th in each and every year the Sheriff of Baltimore City shall pay to the Mayor and City Council of Baltimore any of the unexpended expense funds advanced during the preceding year and render a detailed account to the Mayor and City Council of Baltimore of all expense funds received and expended by him. The Mayor and City Council of Baltimore shall reimburse the State of Maryland for the administrative costs incurred because the employees of the Sheriff's Office of Baltimore City are in the State Personnel Management System.

(3) During the course of his employment, any deputy sheriff of Baltimore City may ride in Baltimore City on public transportation of the Maryland Transit Administration without paying any fare if he shows proper identification regarding his position as a deputy sheriff.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.