

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2014 Legislative Session

BILL NO. 2014-20

Introduced by: Charles County Commissioners

DEPUTY SHERIFFS' SALARIES

Date introduced: 10 / 07 / 2014

Public Hearing: 10 / 28 / 2014 @5:00 p.m.

Commissioners Action: 11 / 18 / 2014

Commissioner Votes: CQK: Y, RC: Y, KR: N, DD: Y, BR: Y

Pass/Fail: Pass

Effective Date: 1 / 2 / 15

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.

1 **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

2 **2014 Legislative Session**

3
4 Bill No. 2014-20

5 Chapter. No. 125 & 210

6 Introduced by Charles County Commissioners

7 Date of Introduction October 7, 2014

8
9 **BILL**

10 AN ACT concerning

11 Salaries and Compensation – Office of the Sheriff -- Deputy Sheriffs

12 FOR the purpose of amending certain existing provisions of law regarding the
13 budgetary process for establishing the salaries and steps of Deputy Sheriffs that have not
14 provided an effective or efficient process for the County Commissioners to exercise their
15 authority to establish a budget and appropriate funds for the Office of the Sheriff;
16 amending the ranks of Deputy Sheriffs to conform to current designations utilized by the
17 Office of the Sheriff; codifying the salary steps within Deputy Sheriff ranks currently
18 utilized by the Office of the Sheriff and providing the circumstances under which Deputy
19 Sheriffs may progress between steps; establishing that the level of compensation
20 including step increases of all employees of the Office of the Sheriff is in the sole
21 discretion of the County Commissioners consistent with their budget and appropriation
22 authority over the Office of the Sheriff; providing for the retroactive application of
23 portions of this Act to July 1, 2014 in accordance with the budget for the Office of the
24 Sheriff adopted by the County Commissioners for Fiscal Year 2015; and generally
25 relating to the Office of the Sheriff.

26 BY amending:

27 Chapter 125. Sheriff.

28 Section 125-4.D

29 *Code of Charles County, Maryland*

30 *(2013 Edition)*

31 and

32 Chapter 210. Sheriff's Office.

33
10/3/14
Asterisks *** mean intervening code language remaining unchanged
CAPITALS mean language added to the law
[Brackets] mean language deleted from the law

1 Section 210-3
2 *Code of Charles County, Maryland*
3 *(2013 Edition)*
4 And
5 Chapter 210. Sheriff's Office.
6 Section 210-14
7 *Code of Charles County, Maryland*
8 *(2013 Edition)*
9 BY adding:
10 Chapter 210. Sheriff's Office.
11 Section 210-19
12 *Code of Charles County, Maryland*
13 *(2013 Edition)*
14

15 **PREAMBLE**

16 **WHEREAS**, under §16-106 of the Local Government Article of the Annotated
17 Code of Maryland, the budget, fiscal and appropriation authority and policies of the
18 County Commissioners govern the Office of the Sheriff of Charles County; and

19 **WHEREAS**, consistent with this budgetary and appropriation authority over the
20 Office of the Sheriff, the number of Deputy Sheriffs employed by the Office of the
21 Sheriff must be authorized by the County Commissioners under §2-309 of the Courts and
22 Judicial Proceedings Article of the Annotated Code of Maryland; and

23 **WHEREAS**, prior to this Act, under Chapter 210 of the County Code, as part of
24 the County Commissioners' budget and appropriation process each year, the Sheriff was
25 required to submit a proposed pay plan to the County Commissioners for their approval
26 which listed every position and placed each position in a pay grade showing all pay steps
27 within the grade; and

28 **WHEREAS**, prior to this Act, Chapters 210 and 125 of the County Code created
29 a budget process under which, in the proposed pay plan, the salaries of the Deputy
30 Sheriffs were established by rank and steps within ranks based on length of service,
31 which salaries and steps were required to correspond to the salaries and step increases of
32 the Department of State Police; and

1 (a) The salaries of the Deputy Sheriffs, based on rank and length of
2 service, shall correspond to [the salary schedule of the Maryland
3 State Police employees developed under Article 88B, § 23, of the
4 Annotated Code of Maryland] THE BUDGET APPROVED BY
5 THE BOARD OF COUNTY COMMISSIONERS.

6 (b) Position and rank designations; SALARY STEPS [applicability of
7 statutory salary schedules].

8 [1.](I) [As of July 1, 1979, all Deputy Sheriffs shall
9 continue their position with the following ranks] DEPUTY
10 SHERIFF POSITIONS AND RANKS ARE AS
11 FOLLOWS:

- 12 1. [(I) Patrolmen I are within Rank I] RECRUITS;
- 13 2. [(II) Patrolmen II are within Rank II] PATROLMEN I;
- 14 3. [(III) Privates First Class are within Rank III]
15 PATROLMEN II;
- 16 4. [(IV) Corporals are within Rank IV] PRIVATES FIRST
17 CLASS;
- 18 5. [(V) Sergeants are within Rank V] CORPORALS;
- 19 6. [(VI) Second Lieutenants are within Rank VI]
20 SERGEANTS;
- 21 7. [(VII) First Lieutenants are within Rank VII]
22 LIEUTENANTS;
- 23 8. [(VIII)] Captains [are within Rank VIII];
- 24 9. [(IX)] Majors [are within Rank IX];
- 25 10. [(X)] Lieutenant Colonels [are within Rank X.]

26 [(2) Any change or amendment in the salary schedule
27 developed under Article 88B, § 23(a), of the Annotated
28 Code of Maryland shall apply to the Deputy Sheriffs of
29 Charles County.]

30 [(3) As of July 1, 1979, Deputy Sheriffs shall be placed
31 in the rank that corresponds to their position. A Deputy
32 Sheriff shall be placed in the first step of that rank unless
33 the Deputy Sheriff's present salary is more than that step,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

then the step shall correspond to the present salary. A Deputy Sheriff may not receive a lesser salary nor shall a Deputy Sherriff be demoted as a result of the implementation of the salary schedule.]

(II) THERE SHALL BE EIGHTEEN (18) SALARY STEPS FOR DEPUTY SHERIFFS WITHIN EACH RANK. IN THE PROPOSED BUDGET SUBMITTED BY THE SHERIFF AS PART OF THE ANNUAL BUDGET AND APPROPRIATION PROCESS, UNDER SECTION 210-14 OF THE COUNTY CODE, THE SHERIFF MAY PROPOSE AND THE COUNTY COMMISSIONERS MAY APPROVE, FOR DEPUTY SHERIFFS THAT THE SHERIFF FINDS TO HAVE HAD SATISFACTORY JOB PERFORMANCE IN THE PRIOR YEAR, THEIR PROGRESSION TO THE NEXT SALARY STEP WITHIN THEIR RESPECTIVE RANK UPON THEIR RESPECTIVE ANNIVERSARY DATE, WHICH MEANS JULY 1, AS TO ALL CURRENT DEPUTY SHERIFFS WHO WERE EMPLOYED AS DEPUTY SHERIFFS AS OF JULY 1, 1979, OR THEIR RESPECTIVE DATE OF EMPLOYMENT AS TO ALL OTHER DEPUTIES.

[(c) All Deputy Sheriffs shall receive the salary for the next step within their rank upon each anniversary date, which means July 1 as to all persons who are Deputy Sheriffs on July 1, 1979, or the date of employment as to all other deputies.]

(3) THE LEVEL OF COMPENSATION, INCLUDING ANY STEP INCREASES FOR DEPUTY SHERIFFS, CORRECTIONS OFFICERS AND OTHER EMPLOYEES OF THE OFFICE OF THE SHERIFF

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

WILL BE DETERMINED BY THE COUNTY COMMISSIONERS IN THEIR SOLE DISCRETION AS PART OF THE ANNUAL BUDGET PROCESS.

Chapter 210. SHERIFF’S OFFICE.

ARTICLE 1. Merit System.

Section 210-3. Definitions.

* * * * *

[Pay Plan

The written salary scales placing every position in a pay grade. Each pay grade consists of a maximum and minimum level and intermediate levels of pay.]

* * * * *

Section 210-14. RESERVED. [Pay Plan.]

- [A. The sheriff shall establish a written pay plan for all employees of the Office of the Sheriff.
- B. As part of the budget process each year, the Sheriff will submit the proposed pay plan for the approval of the County Commissioners. The pay plan funded shall be the Sheriff’s pay plan.
- C. The salaries of sworn employees, based upon rank and length of service, shall correspond to the Department of State Police Salary Plan, to include longevity steps, established under the authority of Article 88B § 23 of the Annotated Code of Maryland. The pay plan will change in accordance with any change in the Department of State Police Pay Schedule.
- D. The pay plan for non-sworn employees will be developed by the Sheriff to offer a range of pay commensurate with the duties and responsibilities enumerated in the employee's position description. The Sheriff may petition the County Commissioners to elevate such pay grades as necessary to compensate for the higher level of security expected of personnel in public safety positions and to compete with surrounding

1 jurisdictions to attract the specialized talents unique to the public safety
2 community.]

3 **SECTION 2.** BE IT ENACTED BY THE COUNTY COMMISSIONERS OF
4 CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read
5 as follows:

6 **Chapter 210. SHERIFF'S OFFICE.**

7 **ARTICLE 1. Merit System.**

8 210-19. [(Reserved)] OFFICE OF THE SHERIFF BUDGET PROCESS.

- 9 A. AS PART OF THE COUNTY'S BUDGET AND APPROPRIATION
10 PROCESS FOR EACH FISCAL YEAR, THE SHERIFF SHALL
11 SUBMIT A PROPOSED BUDGET FOR THE OFFICE OF THE
12 SHERIFF FOR THE FISCAL YEAR TO THE COUNTY'S FISCAL
13 AND ADMINISTRATIVE SERVICES/BUDGET DIVISION WITH
14 THE NECESSARY BUDGET INFORMATION IN THE FORMAT AS
15 DIRECTED BY THE DEPARTMENT OF FISCAL AND
16 ADMINISTRATIVE SERVICES.
- 17 B. THE PROPOSED BUDGET REQUIRED BY THIS SECTION SHALL
18 BE FOR ALL OPERATIONS OF THE SHERIFF'S OFFICE.
- 19 C. IF THE SHERIFF FAILS TO SUBMIT A PROPOSED BUDGET IN
20 COMPLIANCE WITH THIS SECTION, THE COUNTY'S FISCAL
21 AND ADMINISTRATIVE SERVICES/BUDGET DIVISION SHALL
22 PREPARE A PROPOSED BUDGET FOR THE OFFICE OF THE
23 SHERIFF BASED ON FISCAL AND ADMINISTRATIVE SERVICES
24 RECOMMENDED FUNDING LEVELS.
- 25 D. THE COUNTY COMMISSIONERS SHALL ESTABLISH THE
26 BUDGET FOR THE OFFICE OF THE SHERIFF, INCLUDING BUT
27 NOT LIMITED TO, THE COMPENSATION OF DEPUTIES,
28 CORRECTIONS OFFICERS AND OTHER EMPLOYEES, IN THEIR
29 SOLE DISCRETION. NOTHING IN THIS SECTION OR SECTION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

125-4 OF THE COUNTY CODE SHALL LIMIT THE COUNTY COMMISSIONERS IN THE EXERCISE OF THEIR DISCRETION TO ESTABLISH THE BUDGET FOR THE OFFICE OF THE SHERIFF.

SECTION 3. BE IT FURTHER ENACTED, that, in accordance with the FY 2015 Budget adopted by the County Commissioners under Ordinance 2014-14 which did not include step increases for the Deputy Sheriffs and to which they were not entitled by then-existing law or under this Act, Section 1 of this Act shall take effect as of July 1, 2014.

SECTION 4. BE IT FURTHER ENACTED, that, Section 2 of this Act shall take effect forty-five (45) calendar days after it becomes law.

ADOPTED this 18th day of November, 2014.

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

Candice Quinn Kelly, President

Reuben B. Collins, II, Esq., Vice President



Ken Robinson



Debra M. Davis, Esq.



Bobby Rucci

ATTEST:


Danielle Mitchell, Clerk to the Commissioners

10/3/14
Asterisks *** mean intervening code language remaining unchanged
CAPITALS mean language added to the law
[Brackets] mean language deleted from the law