

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 2-309(h)(2) and (3)
Annotated Code of Maryland
(1980 Replacement Volume and 1983 Supplement)

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.

(h) (2) Any deputy sheriff appointed pursuant to this section shall be placed on a probationary status for the first [six] 18 months of his employment, and may be dismissed by the Sheriff for any reason. After [six] 18 months of continuous employment, a deputy sheriff [has tenure, and may be discharged by the Sheriff only for malfeasance or nonfeasance in office. Any tenured deputy sheriff who is dismissed may appeal by requesting a hearing before the County Commissioners of Carroll County within five days of receipt of notification of the action or his dismissal shall become final without further action by the County Commissioners.] MAY BE DISCIPLINED OR DISMISSED BY THE SHERIFF:

(I) IN ACCORDANCE WITH THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS, IF THE EMPLOYEE'S RIGHTS ARE COVERED UNDER THIS BILL OF RIGHTS; OR

(II) IN ACCORDANCE WITH THE PERSONNEL RULES AND REGULATIONS OF THE CARROLL COUNTY SHERIFF'S DEPARTMENT, IF THE EMPLOYEE'S RIGHTS ARE NOT COVERED UNDER THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS.

[(3) Whenever a deputy sheriff appeals a dismissal, the County Commissioners shall grant him a hearing. The County Commissioner's decision on appeal shall be by a majority vote, and the County Commissioners may direct that the decision be affirmed, or it may rescind the dismissal and order the deputy sheriff reinstated with back pay, or it may decide the case it deems equitable.]

(3) EXCEPT FOR AN APPEAL TAKEN PURSUANT TO THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS, AN APPEAL BY AN AGGRIEVED PARTY SHALL BE TAKEN TO THE CIRCUIT COURT FOR CARROLL COUNTY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 29, 1984.
