

Annotated Code of Maryland
(1998 Replacement Volume and 2001 Supplement)

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

Article 88B - Department of State Police

19.

(a) All promotions shall be made by the Secretary.

(b) Except as provided in subsection (c) of this section, no police employee shall be appointed or promoted to any rank except one which requires technical knowledge, unless the employee is bypassing an obsolete rank and currently fills the rank immediately below the rank that has been declared obsolete, or has filled the rank immediately below that to which the employee is promoted; but as to any noncommissioned rank which contains less than twenty-five police employees, the Secretary may by rule direct that it is unnecessary to fill such rank for purposes of promotion. Promotion to any [noncommissioned] rank, EXCEPT DEPUTY SECRETARY, shall be made in the manner prescribed by rule. [Promotion to any commissioned rank, except deputy secretary, shall be made from among those persons appearing in any position on a list of eligible persons prepared in accordance with the provisions of the State Personnel and Pensions Article.]

(c) Notwithstanding any other provisions of law the Secretary may appoint, without examination, any police employee holding a commissioned rank to the rank of Major and any police employee holding a commissioned rank of not less than Captain to the rank of Lieutenant Colonel. A police employee appointed in accordance with this provision shall continue to serve at the Secretary's pleasure. Upon termination of an appointment by the Secretary under this subsection, the police employee may return to the rank held prior to the appointment or to a higher rank to which the police employee has become eligible for promotion during the police employee's appointment, notwithstanding any other provision of law.

(d) Incumbent employees within an obsolete rank will remain until promoted, demoted, retired, or terminated.

(e) Promotions of civilian employees shall be made in accordance with the provisions of the State Personnel and Pensions Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 25, 2002.