

(A) Except as otherwise provided by law, individuals in the following positions in the skilled service, professional service, management service, or executive service are considered special appointments:

(1) a position to which an individual is directly appointed by the Governor by an appointment that is not provided for by the Maryland Constitution;

(2) a position to which an individual is directly appointed by the Board of Public Works;

(3) as determined by the Secretary, a position which performs a significant policy role or provides direct support to a member of the executive service;

(4) a position that is assigned to the Government House;

(5) a position that is assigned to the Governor's Office; and

(6) any other position that is specified by law to be a special appointment.

(B) A POSITION THAT IS A SPECIAL APPOINTMENT MAY BE FILLED WITH REGARD TO POLITICAL AFFILIATION, BELIEF, OR OPINION IF THE SECRETARY DETERMINES THAT THE POSITION:

(1) RELATES TO POLITICAL INTERESTS OR CONCERNS SO AS TO WARRANT THAT POLITICAL AFFILIATION BE A REQUIREMENT FOR THE POSITION; AND

(2) (I) REQUIRES THE PROVISION OF MEANINGFUL DIRECT OR INDIRECT INPUT INTO THE POLICY-MAKING PROCESS; OR

(II) PROVIDES ACCESS TO CONFIDENTIAL INFORMATION AND:

1. REQUIRES SUBSTANTIAL INTERVENTION OR COLLABORATION IN THE FORMULATION OF PUBLIC POLICY; OR

2. REQUIRES THE PROVISION OF DIRECT ADVICE OR THE RENDERING OF DIRECT SERVICES TO AN APPOINTING AUTHORITY.

7-102.

(a) (1) Each employee in the skilled service, professional service, and management service, INCLUDING SPECIAL APPOINTMENTS IN EACH