

SENATE BILL 947

E4

9lr1949

By: **Calvert County Senators**

Introduced and read first time: February 15, 2019

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Correctional Officers’ Bill of Rights**

3 FOR the purpose of applying the provisions of the Charles County Correctional Officers’
4 Bill of Rights to Calvert County; and generally relating to rights of a correctional
5 officer in Calvert County.

6 BY repealing and reenacting, with amendments,
7 Article – Correctional Services
8 Section 11–1102 to be under the amended subtitle “Subtitle 11. Calvert County and
9 Charles County Correctional Officers’ Bill of Rights”
10 Annotated Code of Maryland
11 (2017 Replacement Volume and 2018 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Correctional Services
14 Section 11–1104
15 Annotated Code of Maryland
16 (2017 Replacement Volume and 2018 Supplement)

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

19 **Article – Correctional Services**

20 Subtitle 11. **CALVERT COUNTY AND** Charles County Correctional Officers’ Bill of Rights.
21 11–1102.

22 This subtitle applies only in **CALVERT COUNTY AND** Charles County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11-1104.

2 (a) (1) Except as provided in paragraph (2) of this subsection, a correctional
3 officer has the same rights to engage in political activity as a State employee.

4 (2) The right of a correctional officer to engage in political activity does not
5 apply when the correctional officer is on duty or acting in an official capacity.

6 (b) The Sheriff's Office:

7 (1) may not prohibit secondary employment by a correctional officer; but

8 (2) may adopt reasonable regulations that relate to secondary employment
9 by a correctional officer.

10 (c) A correctional officer may not be required or requested to disclose an item of
11 the correctional officer's property, income, assets, source of income, debts, or personal or
12 domestic expenditures, including those of a member of the correctional officer's family or
13 household, unless:

14 (1) the information is necessary to investigate a possible conflict of interest
15 with respect to the performance of the correctional officer's official duties; or

16 (2) the disclosure is required by federal or State law.

17 (d) A correctional officer may not be discharged, disciplined, demoted, or denied
18 promotion, transfer, or reassignment, or otherwise discriminated against in regard to the
19 correctional officer's employment or be threatened with that treatment because the
20 correctional officer:

21 (1) has exercised or demanded the rights granted by this subtitle; or

22 (2) has lawfully exercised constitutional rights.

23 (e) A statute may not abridge and the Sheriff's Office may not adopt a regulation
24 that prohibits the right of a correctional officer to bring suit that arises out of the
25 correctional officer's duties as a correctional officer.

26 (f) A correctional officer may waive in writing any or all rights granted by this
27 subtitle.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2019.