

**SB0548/443620/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 548  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Grounds and**”; in line 5, strike “the reasons for which a health officer may be removed from office and”; in line 6, after “removal” insert “of a health officer from office; prohibiting a health officer who appeals a certain decision of the Secretary from carrying out the duties of health officer while the appeal is pending”; and after line 12, insert:

“BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 11–305  
Annotated Code of Maryland  
(2015 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “**FOR**” in line 24 on page 2 down through “**DUTY**” in line 2 on page 3.

On page 3, strike beginning with “, **SUBJECT**” in line 11 down through “**SUBSECTION**” in line 12; in line 20, strike “**WITHIN**” and substitute “SOONER THAN”; in the same line, after “**DAYS**” insert “OR LATER THAN 30 DAYS”; in line 21, strike “**HEARING DATE**” and substitute “REMOVAL”; in the same line, strike “**AND**”; in line 23, strike “**PUBLICLY**”; in line 24, strike “, **WHETHER IN PERSON OR BY COUNSEL**” and substitute “; AND”

**3. THE SECRETARY SHALL MAKE A FINAL DECISION NOT LATER THAN 10 DAYS AFTER THE DATE OF THE HEARING**”;

in line 25, after “(4)” insert “(I)”; in line 26, strike “AT A HEARING REQUESTED” and substitute “MADE”; in line 27, after “HEARINGS” insert “NOT LATER THAN 30 DAYS AFTER THE SECRETARY MADE THE DECISION”; and after line 27, insert:

**“(II) A HEALTH OFFICER WHO APPEALS THE DECISION OF THE SECRETARY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT CARRY OUT THE DUTIES OF HEALTH OFFICER WHILE THE APPEAL IS PENDING.**

**Article – State Personnel and Pensions**

11-305.

(a) **(1) This section [only] applies ONLY to an employee who is in a position:**

**[(1) (I) under a special appointment;**

**[(2) (II) in the management service; or**

**[(3) (III) in the executive service.**

**(2) THIS SECTION DOES NOT APPLY TO A HEALTH OFFICER APPOINTED UNDER § 3-302 OF THE HEALTH – GENERAL ARTICLE.**

(b) **Each employee subject to this section:**

**(1) serves at the pleasure of the employee’s appointing authority; and**

**(2) may be terminated from employment for any reason that is not illegal or unconstitutional, solely in the discretion of the appointing authority.**

**(c) A management service employee or a special appointment employee designated by the Secretary under § 4-201(c)(2)(i) of this article may not be terminated for the purpose of creating a new position for another individual’s appointment because of that individual’s political affiliation, belief, or opinion.**

(d) An employee or an employee’s representative may file a written appeal of an employment termination under this section as described under § 11–113 of this title.”.