

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Hall

Typed by: Don

Stored – 10/24/23

Proofread by _____

Checked by _____

By: **Montgomery County Delegation**

Requested By: Senator Kramer

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – State’s Attorney’s Office Personnel – Application of**
3 **County Personnel Laws and Collective Bargaining**

4 **MC 12–24**

5 FOR the purpose of requiring that certain employees of the Montgomery County State’s
6 Attorney’s Office be subject to the Montgomery County personnel laws governing
7 county employees; authorizing certain employees of the Office to organize and
8 bargain collectively for terms and conditions of employment; requiring, for purposes
9 of collective bargaining, the Montgomery County Executive and the Montgomery
10 County State’s Attorney to be considered the employer of certain employees of the
11 Office for certain purposes; subjecting funds required for a collective bargaining
12 agreement negotiated with the State’s Attorney to the approval of the Montgomery
13 County Executive; and generally relating to Montgomery County State’s Attorney’s
14 Office personnel.

15 BY repealing and reenacting, without amendments,
16 Article – Criminal Procedure
17 Section 15–416(a)
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Criminal Procedure
3 Section 15–416(g)
4 Annotated Code of Maryland
5 (2018 Replacement Volume and 2023 Supplement)

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

8 **Article – Criminal Procedure**

9 15–416.

10 (a) This section applies only in Montgomery County.

11 **(G) (1) EACH ELIGIBLE, FULL-TIME, NONEXEMPT EMPLOYEE OF THE**
12 **STATE’S ATTORNEY’S OFFICE SHALL BE SUBJECT TO THE MONTGOMERY COUNTY**
13 **PERSONNEL LAWS GOVERNING COUNTY EMPLOYEES.**

14 **(2) SUBJECT TO PARAGRAPHS (3) AND (4) OF THIS SUBSECTION,**
15 **EMPLOYEES DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING**
16 **NONSUPERVISORY ASSISTANT STATE’S ATTORNEYS, MAY ORGANIZE AND BARGAIN**
17 **COLLECTIVELY IN ACCORDANCE WITH CHAPTER 33, ARTICLE VII OF THE**
18 **MONTGOMERY COUNTY CODE FOR COMPENSATION, INCLUDING PENSION AND**
19 **FRINGE BENEFITS, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT.**

20 **(3) THE COUNTY EXECUTIVE SHALL BE CONSIDERED THE EMPLOYER**
21 **OF AN EMPLOYEE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION FOR THE**
22 **PURPOSE OF COLLECTIVE BARGAINING FOR HOURS AND COMPENSATION,**
23 **INCLUDING PENSION AND FRINGE BENEFITS.**

24 **(4) (I) THE STATE’S ATTORNEY SHALL BE CONSIDERED THE**
25 **EMPLOYER OF AN EMPLOYEE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION**
26 **FOR THE PURPOSE OF COLLECTIVE BARGAINING FOR ALL OTHER TERMS AND**
27 **CONDITIONS OF EMPLOYMENT NOT LISTED IN PARAGRAPH (3) OF THIS SUBSECTION.**

1 **(II) THE FUNDING REQUIRED FOR A COLLECTIVE BARGAINING**
2 **AGREEMENT NEGOTIATED BY THE STATE’S ATTORNEY UNDER THIS PARAGRAPH IS**
3 **SUBJECT TO THE APPROVAL OF THE COUNTY EXECUTIVE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2024.