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# Private Acts of 2007 Chapter 26

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Sincerely,

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# Private Acts of 2007 Chapter 26

**SECTION 1.** The classified service to which this act shall apply shall include all positions and employees in the sheriff's department of Maury County except for the sheriff, his chief deputy, and any appointed position established in which the sheriff appoints the person to serve in such position.

**SECTION 2.** There is hereby created a civil service board to administer the terms of this act to be composed of five (5) members selected by the Maury county legislative body. After missing three (3) consecutive meetings a board member's position shall be vacated. The board chairman shall notify the county mayor of such vacancy. The board shall meet at least semiannually.

As amended by: Private Acts of 2023, Chapter 20.

**SECTION 3.** Civil service board members shall serve three year terms, but the initial appointments shall be:

- (1) Two (2) members selected by the county commission for one (1) year;
- (2) Two (2) members selected by the county commission for two (2) years; and
- (3) One (1) member selected by the county commission for three (3) years. All appointments thereafter shall be for three year terms.

**SECTION 4.** All members of the board shall receive such salary, if any, as determined by the Maury county legislative body in its sound discretion.

**SECTION 5.** The members of the board shall receive such salary, if any, as determined by the Maury county legislative body in its sound discretion.

**SECTION 6.** The civil service board shall elect a board member as chairman. The County Mayor or other person designated by the County Mayor shall serve as secretary to the civil service board without additional compensation. The secretary will be the keeper of the civil service board records.

As amended by: Private Acts of 2023, Chapter 20.

**SECTION 7.** The board as a body shall have the power:

- (1) To adopt and amend rules and regulations for the administration of this act, provided that no such rules and regulations conflict with the terms of this act.
- (2) To make investigations concerning the enforcement and effect of this act and to require observance of the rules and regulations made thereunder.
- (3) To hear and decide appeals and complaints respecting the administration of this act.
- (4) To keep any other such records as may be necessary for the proper administration of this act.

As amended by: Private Acts of 2023, Chapter 20.

**SECTION 8.** All persons in the employ of the office of the sheriff upon the effective date of this act who have completed their probationary period as classified service as provided under this act, shall be retained without preliminary or performance examinations, but shall thereafter in all other respects be subject to the provisions of this act.

**SECTION 9.** The Maury county human resources department shall establish job descriptions and minimum qualifications for sheriff's department jobs as provided in this act. The human resources director shall adopt a classification plan and make rules for its administration to meet state and county requirements.

**SECTION 10.** Upon request by the sheriff and funding by the Maury County legislative body, positions may be created, combined, altered, or abolished. Provided, however, that no position in the classified service shall be abolished except upon approval of the county legislative body acting in good faith upon the advice of the sheriff.

As amended by: Private Acts of 2023, Chapter 20.

**SECTION 11.** The sheriff may approve leaves of absence subject to requirements of state and federal laws. Sheriff's department employees covered by this act shall receive the same vacation, sick leave and other leaves provided to other county employees by regular county human resources policies.

**SECTION 12.** [Deleted by 2023 Amendment to Private Acts]

As amended by: Private Acts of 2023, Chapter 20.

**SECTION 13.** [Deleted by 2023 Amendment to Private Acts]

As amended by: Private Acts of 2023, Chapter 20.

**SECTION 14.** [Deleted by 2023 Amendment to Private Acts]

As amended by: Private Acts of 2023, Chapter 20.

**SECTION 15.** All employees in classified service may be transferred from one position to another in the same class, but not otherwise. Higher classified persons desiring to apply for lower classified positions shall be required to apply for the position as all other applicants must do. In cases where a higher classified person for medical or compassionate reasons needs to be reassigned to a lower classified position which the person has previously held, this may be allowed by the civil service board upon a request by the sheriff. The reassigned positions classification and rate of pay shall be according to county human resources policy. Transfers may be instituted only by the sheriff and shall be permitted only with the consent of the sheriff.

**SECTION 16.** The practice and procedure of the board with respect to any investigation shall be in accordance with the rules and regulations established by the board. The board shall provide for reasonable notice to all persons affected by any order to be made by the board after such investigation, with an opportunity to be heard either in person or by counsel and to introduce testimony at a public hearing to be held for that purpose.

The board, when conducting any investigations or hearings authorized by this act, shall have the power to administer oaths, take depositions, issue subpoenas, compel the attendance of witnesses and the production of books, accounts, papers, records, documents and testimony. In case of the disobedience of any person in complying with the orders of the board or of a subpoena issued by the board or any of its members, or on the refusal of a witness to testify on any matter on which such witness may be lawfully interrogated, the judge in any court of record within the county on application of any member of the board, shall compel obedience by contempt proceedings. The sheriff or his legal deputy shall serve such subpoenas that are issued by the board.

**SECTION 17.** The sheriff may suspend any employee for not more than ten (10) days for cause, but there shall be a right of appeal for any such suspension. The sheriff may demote any employee with rank for cause, but there shall be a right of appeal for any such demotion. The board shall have the power to reverse the sheriff's decision and reinstate employees with lost wages in such matters.

All suspensions, terminations, and demotions shall also comply with county general personnel policies.

All appeals to the board must be filed within ten (10) days of the sheriff's disciplinary action and shall be heard by the board within thirty (30) days of the board's receipt of the appeal request.

As amended by: Private Acts of 2023, Chapter 20.

**SECTION 18.** No person holding a position in the classified service shall take an active part in any political campaign while on duty. In addition, no employee of the sheriff's department shall solicit money for political campaigns or in any way use his position as a deputy sheriff so as to indicate his personal political feelings are those of the sheriff's department or to use his position as deputy sheriff to exert any pressure on anyone or on a group of people to sway that person's or persons' political views. No employee while on duty nor any officer while in uniform shall display any political advertising or paraphernalia on their person. No employee of the sheriff's office shall make any public endorsement of any candidate in any campaign for elected office. However, nothing in this act shall be construed to prohibit or prevent any such employee from becoming or continuing to be a member of a political club or organization and enjoying all the rights and privileges of such membership or from attending any political meetings, while not on duty, or in the course of official business nor shall such person be denied from enjoying any freedom or interference in the casting of their vote. Any person violating the provisions of this section shall be dismissed from the service of the office of the sheriff.

**SECTION 19.** The act shall not be held or construed to create any property rights or any vested interests in any position in the classified service and the right is hereby reserved to repeal, alter, amend this act, or any provision thereof at any time.

**SECTION 20.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 21.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Maury County. Its approval or nonapproval shall be proclaimed by the presiding officer of Maury County and certified to the secretary of state.

**SECTION 22.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 21.

Passed: April 4, 2007.

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