

Department of Legislative Services  
Maryland General Assembly  
2021 Session

FISCAL AND POLICY NOTE  
Third Reader

Senate Bill 914  
Finance

(Senator McCray)

Judiciary

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Sheriff of Baltimore City

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This bill authorizes full-time sworn law enforcement officers who are deputy sheriffs at a rank of lieutenant or below and court security officers in the Baltimore City Sheriff's Office to bargain collectively with the Baltimore City Mayor, the Baltimore City Council, and the Baltimore City Sheriff with respect to specified matters. The bill establishes requirements for agreements and procedures for the mediation and arbitration of collective bargaining disputes.

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Fiscal Summary

**State Effect:** The bill is not anticipated to materially affect State operations or finances.

**Local Effect:** Baltimore City expenditures increase by at least \$60,000 annually beginning in FY 2022 to hire additional staff to assist with contract negotiations. In addition, city expenditures increase in years when contract negotiations take place for the hiring of outside legal counsel. City expenditures may further increase depending on collective bargaining agreements. Local revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The bill authorizes full-time sworn law enforcement officers at or below the rank of lieutenant and court security officers in the Baltimore City Sheriff's Office to seek recognition by the sheriff (or designee) to organize and bargain collectively in good

faith concerning the following matters: (1) compensation, excluding salary, wages, and those benefits determined, offered, administered, controlled, or managed by the mayor and city council; (2) leave, holidays, and vacations; and (3) hours, working conditions, and job security. Sworn law enforcement officers and court security officers may seek recognition in order to organize and bargain collectively in good faith with the mayor and city council concerning merit step increases and those benefits determined, offered, administered, controlled, or managed by the mayor and city council.

The bill specifies that the sheriff, the city (if the Labor Commissioner of Baltimore City is a party), and the exclusive representative of the law enforcement officers and court security officers may each have up to four representatives for negotiations. Negotiations for collective bargaining agreements must begin by September 1 of the year before the expiration of any existing agreement. An agreement may be valid for between one and four years, and must meet other specified requirements.

The bill establishes the procedures and timelines for the mediation and arbitration of collective bargaining disputes, as specified. The bill provides a process for the selection of an arbitrator and specifies the powers of the arbitrator and the factors that the arbitrator may consider in determining which of the parties' final offers is more reasonable. The recommendations of the arbitrator are not binding.

To the extent that any matters negotiated between the sheriff, the mayor and city council, and the collective bargaining unit require legislative approval or the appropriation of funds, the matters must be recommended to the General Assembly for the approval of legislation or to the mayor and city council for the appropriation of funds.

If a collective bargaining agreement expires after the exclusive representative provides notice of a desire to bargain collectively for a successor agreement, the previous agreement will remain in effect until the earlier of a new agreement being reached or 180 days from the date the parties reject the arbitrator's recommendations. If the parties fail to reach a new agreement within the 180-day time period, the terms and conditions of the prior collective bargaining agreement cease to be effective.

**Current Law:** Ten counties in Maryland have collective bargaining for deputy sheriffs: Allegany, Anne Arundel, Baltimore, Cecil, Charles, Frederick, Harford, Howard, Montgomery, and Prince George's counties.

**Local Fiscal Effect:** Baltimore City expenditures increase by approximately \$60,000 in fiscal 2022, which reflects the bill's October 1, 2021 effective date, and by \$80,000

annually thereafter. This estimate reflects the costs of hiring one executive assistant for the Office of the Labor Commissioner to assist with contract negotiations.

Furthermore, in years when negotiations occur, Baltimore City expenditures likely further increase to hire outside legal counsel to represent the city during the collective bargaining process. The city estimates that it may incur additional expenditures of up to \$140,000 for contract negotiations every two years, which is \$35,000 per month of negotiation for an estimated four-month process.

Because the bill authorizes Baltimore City sheriff deputies and court security officers to bargain collectively regarding specified matters, the city may incur additional expenditures in future years depending on future collective bargaining agreements. These expenditures cannot be reliably estimated beforehand. The Baltimore City Sheriff's Office currently employs 84 deputy sheriffs and 70 court safety personnel. The fiscal 2021 budget for the Baltimore City Sheriff's Office totals \$23.0 million, of which \$19.5 million is for salaries and other personnel costs.

**Additional Comments:** The bill states that if the city (the mayor and city council) and the sheriff are both parties to the negotiations giving rise to the arbitration, the *Secretary* and the sheriff must each pay 25% of the costs. However, there is no applicable definition for "Secretary" and the relevant provision is otherwise generally describing the responsibility of *parties* to share costs of the services of the arbitrator. For purposes of this fiscal and policy note, it is assumed that "Secretary" is not referring to a State entity, as the State is not otherwise a party to the collective bargaining process established by the bill.

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### **Additional Information**

**Prior Introductions:** SB 823 of 2020, a similar bill, received a hearing in the Senate Finance Committee, but no further action was taken.

**Designated Cross File:** None.

**Information Source(s):** Baltimore City; Judiciary (Administrative Office of the Courts); Department of Budget and Management; Office of Administrative Hearings; Department of Legislative Services

**Fiscal Note History:** First Reader - March 16, 2021  
rh/jkb Third Reader - March 22, 2021



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