

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 959 (Delegate Stocksdale)
Appropriations

Executive Department - Employees - Drug Tests

This bill requires the Governor to randomly test all “sensitive employees” of the executive branch for the use of controlled dangerous substances. The Governor is required to designate at least 20,000 employees of the executive branch as sensitive employees. The bill’s provisions include members of boards and commissions as employees.

Fiscal Summary

State Effect: None (see below).

Local Effect: None.

Fiscal Analysis

State Expenditures: This bill requires the Governor to designate at least 20,000 executive branch employees as sensitive employees. Sensitive employee is defined as an employee, including a member of a board or commission, who: (1) has a substantial degree of responsibility for the safety of others; (2) is required to carry a firearm; or (3) is directly involved with narcotics law enforcement.

Currently, 15,563 executive branch job classifications are designated “sensitive employment”. The definition of sensitive employee used in the regulations governing those positions (COMAR 06.01.09.01) is substantially the same as the definition provided in this bill. State personnel regulations require that each active classification must have at least one person in that classification.

Accordingly, it is assumed that there are already at least 20,000 executive branch employees designated as sensitive employees. Since all sensitive employees are subject to random drug testing, it is also assumed that current drug testing practices meet the requirements of this bill.

It should be noted that the nature of random testing connotes that only a sampling of the full pool of persons subject to the testing would actually be tested over any given period. For purposes of illustration, in fiscal 1995 the Department of Personnel tested 3,700 sensitive employees.

Information Source(s): Office of the Governor, Department of Personnel, Department of State Police, Department of Transportation, Department of Public Safety and Correctional Services (Division of Correction), Department of General Services, Department of Fiscal Services

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