

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 552 (Delegates Barve and Gordon)
Judiciary

**Firefighters and Emergency Medical Personnel - Judicial Review of Disciplinary
Actions**

This bill allows a circuit court to stay enforcement of final (administrative) disciplinary decisions to suspend or terminate firefighters and emergency medical personnel under certain circumstances. Specifically, a circuit court may take such an action when the final decision is based on an employee's alleged criminal conduct, pending final criminal adjudication, if continued employment: (1) does not substantially impair operations of the employing agency; and (2) does not pose any substantial public risk.

In addition, the bill provides the circumstances, in such an appeal, under which the court may admit evidence additional to the record of the administrative proceeding.

Fiscal Summary

State Effect: None.

Local Effect: None. Any increase in the judiciary's workload could be handled with existing resources. In addition, since the bill authorizes stays against suspension or termination, it merely defers any potential impact arising from the disciplinary action until after criminal adjudication.

Small Business Effect: None. The bill would not directly affect small businesses.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Labor, Licensing and Regulation, Department of Fiscal Services

Fiscal Note History: First Reader - March 3, 1997

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