

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE
Revised

Senate Bill 440

(Senators Ferguson and Mooney)

Judicial Proceedings

Judiciary

Frederick County - State's Attorney - Salary

This bill increases the salary of the Frederick County State's Attorney from 80% to 90% of the salary of a judge of the District Court of Maryland beginning with the next term of office in January 2003.

Fiscal Summary

State Effect: None.

Local Effect: Frederick County expenditures would increase by \$6,700 in FY 2003 and by \$13,400 in FY 2004 and each year thereafter.

Small Business Effect: None.

Analysis

Current Law: The annual salary of the Frederick County State's Attorney is set at 80% of the salary of a judge of the District Court of Maryland. The State's Attorney's current salary is \$89,200. Salary adjustments for constitutional officers take effect at the beginning of the next term of office.

Background: The salary of the Frederick County State's Attorney was last changed in 1999 (Chapter 518 of 1997) when the salary was set at 80% of a District Court judge's salary. Salaries of State's Attorneys in 15 counties are tied to the salaries of judges. As shown in **Exhibit 1**, the salaries are tied to District Court judges in 13 counties and to circuit court judges in two counties.

Exhibit 1
Percentage of Judge's Salary

<u>County</u>	<u>(of a District Court judge's salary, unless otherwise specified)</u>	
Allegany*	90%	
Anne Arundel**	100%	(of a circuit court judge's salary as of 12/31/02, increasing 3% per year beginning in 2004)
Baltimore Co.	100%	(of a circuit court judge's salary, increasing 5% annually)
Calvert	90%	
Carroll	80%	
Cecil	95%	
Charles	90%	
Dorchester	80%	
Frederick	80%	
Howard	100%	
Queen Anne's	90%	
St. Mary's	90%	
Washington	90%	
Wicomico	90%	
Worcester	90%	(except that the county commissioners may set a higher salary)

* In Allegany County, the deputy State's Attorney must receive not less than 80% of the salary of the State's Attorney.

** In Anne Arundel County, the deputy State's Attorney must receive not less than 90% of the salary of the State's Attorney and the assistant State's Attorneys must receive not less than 80% of the State's Attorney's salary.

District Court Judges Salary

The salary for a District Court judge is currently set at \$111,500.

Local Fiscal Effect: The salary of the Frederick County State's Attorney would increase from \$89,200 to \$100,350 beginning in January 2003.

Frederick County expenditures would increase by \$6,690 in fiscal 2003 for additional salary (\$5,575) and fringe benefits (\$1,115). This reflects salary adjustments for a six-month period (January 2003 - June 2003). Beginning in fiscal 2004, county expenditures would increase by \$13,380 annually which reflects annualization.

Additional Information

Prior Introductions: None.

Cross File: HB 367 (Frederick County Delegation) – Judiciary.

Information Source(s): Frederick County, Department of Legislative Services

Fiscal Note History: First Reader - February 12, 2002
ncs/cer Revised - Updated Information - May 6, 2002

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