

Department of Legislative Services
 Maryland General Assembly
 2004 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 616

(Senators Conway and McFadden)

Judicial Proceedings

Environmental Matters

Baltimore City Sheriff - Employees - Salaries

This bill increases the minimum salary rate for deputy sheriffs in Baltimore City. The bill also requires the Chief Judge of the District Court to assess a surcharge for summary ejectment cases filed in Baltimore City and requires the revenue generated from the surcharge to be used to fund salary increases for the Baltimore City deputy sheriffs.

The bill takes effect July 1, 2004.

Fiscal Summary

State Effect: State retirement expenditures would increase by \$169,500 beginning in FY 2005. Potential minimal increase in general fund expenditures for changes to District Court collection procedures. Revenues would not be affected.

(in dollars)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	169,500	169,500	169,500	169,500	169,500
Net Effect	(\$169,500)	(\$169,500)	(\$169,500)	(\$169,500)	(\$169,500)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Baltimore City expenditures would increase by \$482,400 in FY 2005 and each year thereafter. Baltimore City revenues could increase by approximately \$466,100 annually.

Small Business Effect: None.

Analysis

Bill Summary: The bill increases the minimum salary rate for deputy sheriffs in Baltimore City from grade 12 to grade 15 of the State pay scale and sets the minimum salary rate for deputy sheriff sergeants and deputy sheriff lieutenants at grade 16 and grade 18, respectively.

The bill requires the Chief Judge of the District Court to assess an additional surcharge for summary ejectment cases filed in Baltimore City of no more than \$3 per case. The bill also requires the revenue generated from the surcharge on filing fees for summary ejectment cases in the Baltimore City District Court to be: (1) remitted quarterly to the Baltimore City Director of Finance; and (2) used to fund salary increases for the Baltimore City deputy sheriffs, deputy sheriff sergeants, and deputy sheriff lieutenants.

The bill does not create a special fund for revenue generated by the surcharge.

Current Law: The minimum annual salary for a deputy sheriff in Baltimore City is grade 12 of the State employee pay scale.

The salaries for deputy sheriff sergeants and deputy sheriff lieutenants are set by the Secretary of Budget and Management.

The annual salaries for deputy sheriffs in other jurisdictions are typically provided in the county budget as set by the governing body of the jurisdiction or by the Sheriff within the limits provided in the county budget.

Background: The Baltimore City Sheriff's Office is primarily responsible for serving civil processes, providing court security, and transporting prisoners. There are 95 deputy sheriffs in Baltimore City. Currently, 86 deputy sheriffs perform operational and enforcement functions, and nine deputy sheriffs serve as command staff (five as deputy sheriff sergeants and four as deputy sheriff lieutenants). Baltimore City advises that all 95 deputy sheriffs would have their salaries increased pursuant to this legislation. However, deputy sheriffs performing operational and enforcement functions are already funded at grade 13.

In fiscal 2005, the annual base salary for a State employee at grade 12 would be \$29,209, the annual base salary for a State employee at grade 13 would be \$31,155, the annual base salary for a State employee at grade 15 would be \$35,467, the annual base salary for a State employee at grade 16 would be \$37,851, and the annual base salary for a State employee at grade 18 would be \$43,132.

There were 155,368 summary ejectment cases filed in District Court in Baltimore City in fiscal 2003. All fine revenue generated in the District Court, with the exception of parking ticket fines, goes to the State's general fund. However, specified fees and surcharges may also be assessed to generate funds for other purposes. The total fees for a summary ejectment case in the District Court of Baltimore City are \$9: a \$2 fee to the Maryland Legal Services Corporation, a \$2 filing fee to the District Court, and a \$5 service charge to Baltimore City through the Sheriff's Office.

State Fiscal Effect: The State is responsible for making the retirement contributions for deputy sheriffs in Baltimore City. General fund expenditures would increase by \$169,500 annually beginning in fiscal 2005 based on a 37.73% retirement contribution rate. Additionally, general fund expenditures would increase to alter paperwork for the collection of the surcharge for summary ejectment cases and adjustments to the District Court's accounting system and cash register procedures. However, any increase cannot be reliably estimated at this time.

Local Expenditures: In fiscal 2005, absent this bill, the 86 deputy sheriffs would receive a salary of \$31,155 which is equal to grade 13 under the State employee pay scale. The five deputy sheriff sergeants and the four deputy sheriff lieutenants would receive a salary of approximately \$31,496. Baltimore City assumes a flat rate of \$5,000 in fringe benefits per employee.

Increasing the minimum salary of deputy sheriffs in Baltimore City would increase city expenditures by \$4,631 for each operational and enforcement deputy sheriff, by \$6,825 for each deputy sheriff sergeant, and by \$12,497 for each deputy sheriff lieutenant. These estimates include the salary increase and additional FICA contributions paid by the city. Accordingly, Baltimore City expenditures would increase by \$482,400 beginning in fiscal 2005 and each year thereafter for additional compensation paid to deputy sheriffs. Of that amount, approximately \$398,300 would be paid to the 86 operational deputy sheriffs, approximately \$34,100 would be paid to the five deputy sheriff sergeants, and \$50,000 would be paid to the four deputy sheriff lieutenants.

Local Revenues: There were 155,368 summary ejectment cases filed in Baltimore City District Court in fiscal 2003. Assuming summary ejectment filings remain constant, Baltimore City revenues would increase by \$466,104 annually if the maximum \$3 surcharge were applied to these cases.

Additional Comments: If the final fiscal 2005 budget does not include any cost-of-living increase for State employees, Baltimore City expenditures would increase by approximately \$474,800 annually beginning in fiscal 2005 and State retirement

expenditures would increase by approximately \$166,800 annually beginning in fiscal 2005.

Additional Information

Prior Introductions: None.

Cross File: HB 846 (Delegate Goodwin, *et al.*) – Environmental Matters. However, HB 846 is not identical to this bill.

Information Source(s): Baltimore City, Judiciary (Administrative Office of the Courts), Department of Legislative Services

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